

By Mr. ORTIZ:

H.R. 5532. A bill to provide for the continuation of epidemiologic activities being conducted in the State of Texas with respect to the elevated rate in certain areas of the State of a lethal birth defect, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PENNY:

H.J. Res. 521. Joint resolution proposing an amendment to the Constitution of the United States to extend the right to vote to citizens who are 16 years of age or older, and to repeal the 26th article of amendment to the Constitution; to the Committee on the Judiciary.

By Mr. TAYLOR of North Carolina:

H.J. Res. 522. Joint resolution proposing an amendment to the Constitution of the United States to provide that each political party shall be represented on each committee of the House of Representatives, and each subcommittee thereof, equally or in the same proportion that such party is represented in the House of Representatives; to the Committee on the Judiciary.

181.45 MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

492. By the SPEAKER: Memorial of the Legislature of Guam, relative to pest control fees; to the Committee on Agriculture.

493. Also, memorial of the Senate of the State of Michigan, relative to regulating solid waste; to the Committee on Energy and Commerce.

494. Also, memorial of the Senate of the State of Illinois, relative to collection of use taxes for sales made out-of-State; to the Committee on the Judiciary.

181.46 PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. KENNEDY introduced a bill (H.R. 5533) for the relief of Anindya Bhattacharyya; which was referred to the Committee on the Judiciary.

181.47 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 371: Mr. ANDREWS of Texas and Mr. ZELIFF.

H.R. 384: Mr. HUGHES.

H.R. 492: Mr. TORRICELLI.

H.R. 918: Mr. RAVENEL.

H.R. 1311: Mr. BOEHLERT.

H.R. 1312: Mr. BOEHLERT and Mr. COLORADO.

H.R. 1502: Mr. HENRY and Mr. ENGLISH.

H.R. 1633: Mr. GLICKMAN.

H.R. 2070: Mr. TRAFICANT.

H.R. 2390: Mr. BROWN.

H.R. 3063: Mr. BUSTAMANTE.

H.R. 3142: Mr. HUGHES.

H.R. 3236: Mr. JONES of Georgia, Mr. WYDEN, Ms. WATERS, and Mr. STAGGERS.

H.R. 3299: Ms. MOLINARI.

H.R. 3360: Mr. TORRICELLI, Mr. WOLF, and Mr. CARPER.

H.R. 3441: Mr. RAMSTAD.

H.R. 3552: Mr. KOPETSKI.

H.R. 3561: Mr. HUGHES and Mr. BUNNING.

H.R. 4034: Mr. GREEN of New York.

H.R. 4109: Mr. SABO.

H.R. 4178: Mrs. MEYERS of Kansas.

H.R. 4207: Mr. CAMPBELL of Colorado.

H.R. 4399: Mr. SANDERS.

H.R. 4706: Mr. DURBIN.

H.R. 4764: Mr. JOHNSON of South Dakota, Mr. PASTOR, Mr. CLINGER, Mr. MCCANDLESS, Mr. GILLMOR, and Mr. SKEEN.

H.R. 4790: Mr. ANDREWS of Maine, Mr. DOOLITTLE, Mr. SWIFT, and Mr. GILLMOR.

H.R. 4899: Mr. BLACKWELL, Mr. ATKINS, Mr. GEREN of Texas, and Mrs. BOXER.

H.R. 5124: Mr. SCHEUER and Mr. MACHTLEY.

H.R. 5193: Mrs. JOHNSON of Connecticut.

H.R. 5237: Mr. VANDER JAGT and Mr. LANCASTER.

H.R. 5263: Mrs. JOHNSON of Connecticut.

H.R. 5307: Mr. RANGEL, Mr. DE LUGO, Mr. HUTTO, Mr. MFUME, Mr. JEFFERSON, and Mr. LAFALCE.

H.R. 5325: Mr. SMITH of Oregon, Mr. IRELAND, Mr. NUSSLE, and Mr. CUNNINGHAM.

H.R. 5370: Mr. EVANS.

H.R. 5377: Mr. BURTON of Indiana, Mr. MCEWEN, Mr. BROWDER, Mr. HAYES of Louisiana, Ms. NORTON, Mr. THOMAS of Wyoming, Mr. LANCASTER, Mr. EDWARDS of Oklahoma, Mr. CRAMER, Mr. MCCLOSKEY, Mr. MYERS of Indiana, Mr. FAZIO, Mr. COX of California, Mr. GINGRICH, Mr. JEFFERSON, Mr. INHOFE, Mr. HUBBARD, and Mr. ATKINS.

H.R. 5378: Mr. ANDERSON.

H.R. 5401: Mr. LIPINSKI.

H.R. 5437: Mr. BONIOR, Mr. CRAMER, Mr. DANNEMEYER, Mr. FASCELL, Mr. HERTEL, Mr. KOPETSKI, and Mr. RANGEL.

H.R. 5507: Mr. MCDERMOTT, Mr. HAYES of Illinois, and Mr. FOGLIETTA.

H.J. Res. 81: Mr. SAXTON.

H.J. Res. 399: Mr. LEVINE of California, Mr. CLINGER, and Mr. ANTHONY.

H.J. Res. 411: Mr. RAMSTAD, Mrs. COLLINS of Illinois, Mr. BORSKI, Mr. LEWIS of California, Mr. SCHULZE, Mr. RIDGE, Mr. RITTER, Mr. GAYDOS, and Mr. SHUSTER.

H.J. Res. 474: Mr. COX of California, Mr. HALL of Ohio, and Mr. FASCELL.

H.J. Res. 479: Mr. GILMAN.

H.J. Res. 486: Mr. NEAL of Massachusetts.

H. Con. Res. 160: Mr. BUSTAMANTE.

H. Con. Res. 298: Mr. FOGLIETTA, Mr. MACHTLEY, Mr. RICHARDSON, Mrs. KENNELLY, Mr. RAVENEL, Mr. HOCHBRUECKNER, Mr. MILLER of California, Mr. STARK, and Mrs. LLOYD.

H. Con. Res. 328: Mr. PANETTA, Mr. THORNTON, Mr. JENKINS, and Mr. QUILLEN.

H. Res. 478: Mr. PAXON.

H. Res. 490: Mr. JEFFERSON, Mr. McNULTY, Mr. SANTORUM, Mr. ARMEY, Mr. GORDON, Mr. BARRETT, Mr. DORGAN of North Dakota, Mr. NEAL of North Carolina, Mr. SWIFT, Mr. GILLMOR, Mr. TOWNS, Mr. WILSON, Mr. BAKER, Mr. APPLEGATE, Mr. GUNDERSON, Mr. LAGOMARSINO, Mr. KANJORSKI, Mrs. LLOYD, Mr. HUNTER, Mr. MACHTLEY, and Mr. SHAYS.

181.48 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 917: Ms. HORN.

181.49 PETITIONS, ETC.

Under clause 1 of rule XXII,

165. The Speaker presented a petition of the Council of the District of Columbia, Washington, D.C., relative to national voter registration; which was referred to the Committee on the District of Columbia.

THURSDAY, JULY 2, 1992 (82)

The House was called to order by the SPEAKER.

182.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, July 1, 1992.

Pursuant to clause 1, rule I, the Journal was approved.

182.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

3866. A letter from the Secretary of Education, transmitting the report "The Condition of Bilingual Education in the Nation," pursuant to 20 U.S.C. 3331; to the Committee on Education and Labor.

3867. A communication from the President of the United States, transmitting the report on adherence of the United States to arms control treaty obligations and on problems related to compliance by other nations with the provisions of arms control agreements to which the United States is a party, pursuant to 22 U.S.C. 2592; to the Committee on Foreign Affairs.

3868. Communication from the President of the United States, transmitting his intent to designate Colombia as a beneficiary of the trade-liberalization measures provided in the Andean Trade Preference Act, pursuant to 19 U.S.C. 3202 (H. Doc. No. 102-356); to the Committee on Ways and Means and ordered to be printed.

3869. Communication from the President of the United States, transmitting his intent to designate Bolivia as a beneficiary of the trade-liberalization measures provided in the Andean Trade Preference Act, pursuant to 19 U.S.C. 3202 (H. Doc. No. 102-357); to the Committee on Ways and Means and ordered to be printed.

3870. A letter from the Comptroller General, transmitting the financial audit of the FSLIC Resolution Fund's 1991 and 1990 financial statements (GAO/AFMD-92-75, June 1992); jointly, to the Committees on Government Operations and Banking, Finance and Urban Affairs.

182.3 MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. McCathran, one of his secretaries.

182.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 1598. An Act to continue the authorization of appropriations for the East Court of the National Museum of Natural History;

S. 2566. An Act to establish partnerships involving Department of Energy laboratories and educational institutions, industry, and other Federal agencies, for purposes of development and application of technologies critical to national security and scientific and technological competitiveness;

S. 2733. An Act to improve the regulation of Government-sponsored enterprises;

S. 2827. An Act to amend the John F. Kennedy Center Act (20 U.S.C. 76h et seq.) to provide authorization of appropriations for fiscal years 1993 through 1997 for the John F. Kennedy Center for the Performing Arts, and for other purposes;

S. 2910. An Act to authorize appropriations for the American Folklife Center for fiscal years 1993, 1994, 1995, 1996, and 1997;

S. 2938. An Act to authorize the Architect of the Capitol to acquire certain property; and

S. Con. Res. 129. Concurrent resolution expressing continued support for the Taif Agreement, which brought a negotiated end to the civil war in Lebanon, and for other purposes.

§82.5 NASA LANGLEY RESEARCH CENTER

On motion of Mr. BROWN, by unanimous consent, the Committee on Science, Space, and Technology was discharged from further consideration of the joint resolution of the Senate (S.J. Res. 324) to commend the NASA Langley Research Center on the celebration of its 75th Anniversary on July 17, 1992.

When said joint resolution was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

§82.6 WAIVING CERTAIN POINTS OF ORDER AGAINST AND DURING CONSIDERATION OF H.R. 5504

Mr. FROST, by direction of the Committee on Rules, called up the following resolution (H. Res. 508):

Resolved, That all points of order against consideration of the bill (H.R. 5504) making appropriations for the Department of Defense for the fiscal year ending September 30, 1993, and for other purposes, for failure to comply with the provisions of clause 7 of rule XXI are waived. During consideration of the bill, all points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived. Points of order under clause 2 of rule XXI against the amendments printed in the report of the Committee on Rules accompanying this resolution are waived. Amendments printed in the report and any amendments thereto shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent.

When said resolution was considered.

After debate,

On motion of Mr. FROST, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

§82.7 DOD APPROPRIATIONS

Mr. MURTHA moved that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5504) making appropriations for the Department of Defense for the fiscal year ending September 30, 1993, and for other purposes.

Pending said motion,

On motion of Mr. MURTHA, by unanimous consent,

Ordered, That time for general debate continue not to exceed one hour to be equally divided and controlled by Mr. MURTHA and Mr. McDADE.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. MCNULTY, announced that the yeas had it.

So the motion was agreed to.

Accordingly,

The House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of said bill.

The SPEAKER pro tempore, Mr. MCNULTY, by unanimous consent, designated Mr. OBERSTAR as Chairman of the Committee of the Whole; and after some time spent therein,

§82.8 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. DURBIN:

Page 37, line 18, strike out "\$9,510,354,000" and insert in lieu thereof "\$8,810,354,000".

It was decided in the } Yeas 201
negative } Nays 217

§82.9 [Roll No. 263] AYES—201

Abercrombie	Hall (TX)	Panetta
Ackerman	Hayes (IL)	Pastor
Alexander	Henry	Payne (NJ)
Andrews (ME)	Hertel	Payne (VA)
Anthony	Hochbrueckner	Pease
Applegate	Horn	Pelosi
Atkins	Hughes	Penny
AuCoin	Jacobs	Perkins
Beilenson	Jefferson	Peterson (MN)
Bennett	Johnson (SD)	Porter
Berman	Johnston	Poshard
Blackwell	Jones (GA)	Price
Boucher	Jones (NC)	Pursell
Boxer	Jontz	Rahall
Brooks	Kaptur	Ramstad
Brown	Kennedy	Rangst
Bruce	Kildee	Reed
Bryant	Klecza	Ridge
Cardin	Klug	Roe
Carpenter	Kopetski	Rostenkowski
Carr	Kostmayer	Roth
Clay	LaFalce	Roukema
Clement	Lantos	Russo
Collins (MI)	LaRocco	Sabo
Condit	Laughlin	Sanders
Conyers	Leach	Sangmeister
Costello	Lehman (CA)	Santorum
Cox (IL)	Lehman (FL)	Sarpalus
DeFazio	Levin (MI)	Sawyer
DeLauro	Levine (CA)	Scheuer
Dellums	Lewis (GA)	Schroeder
Derrick	Long	Schumer
Dingell	Lowey (NY)	Sensenbrenner
Dixon	Luken	Serrano
Donnelly	Manton	Sharp
Dooley	Markey	Shays
Dorgan (ND)	Marlenee	Sikorski
Downey	Matsui	Skaggs
Duncan	Mavroules	Slattery
Durbin	Mazzoli	Slaughter
Early	McDermott	Solarz
Eckart	McHugh	Staggers
Edwards (CA)	McMillen (MD)	Stallings
Engel	Meyers	Stokes
Espy	Mfume	Studds
Evans	Miller (CA)	Swift
Ewing	Mineta	Synar
Fawell	Mink	Thomas (CA)
Fazio	Moakley	Thomas (WY)
Feighan	Moody	Torres
Fish	Moran	Torricelli
Flake	Morella	Towns
Foglietta	Mrazek	Unsoeld
Ford (MI)	Murphy	Valentine
Ford (TN)	Nagle	Vento
Frank (MA)	Neal (MA)	Visclosky
Gejdenson	Neal (NC)	Washington
Gephardt	Nussle	Waters
Gibbons	Oakar	Waxman
Gilchrest	Oberstar	Weiss
Gilman	Obey	Wheat
Glickman	Olin	Williams
Gordon	Olver	Wise
Grandy	Orton	Wolpe
Green	Owens (NY)	Wyden
Guarini	Owens (UT)	Yates
Hall (OH)	Pallone	Yatron

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Allard	Andrews (NJ)	Archer
Allen	Andrews (TX)	Armey
Anderson	Annunzio	Aspin

Bacchus	Hansen	Patterson
Baker	Harris	Paxon
Barrett	Hastert	Peterson (FL)
Barton	Hatcher	Petri
Bateman	Hayes (LA)	Pickett
Bentley	Hefley	Pickle
Bereuter	Herger	Quillen
Bevill	Hoagland	Ravenel
Bilbray	Hobson	Ray
Bilirakis	Holloway	Regula
Bliley	Hopkins	Rhodes
Boehlert	Horton	Richardson
Boehner	Houghton	Riggs
Borski	Hoyer	Rinaldo
Brewster	Hubbard	Ritter
Browder	Huckaby	Roberts
Bunning	Hunter	Roemer
Burton	Hutto	Rogers
Byron	Hyde	Rohrabacher
Callahan	Inhofe	Ros-Lehtinen
Camp	Ireland	Rose
Campbell (CA)	James	Rowland
Campbell (CO)	Jenkins	Roybal
Chandler	Johnson (CT)	Saxton
Clinger	Johnson (TX)	Schaefer
Coble	Kanjorski	Schiff
Coleman (MO)	Kasich	Schulze
Coleman (TX)	Kennelly	Shaw
Combest	Kolbe	Shuster
Cooper	Kolter	Sisisky
Coughlin	Kyl	Skeen
Coyne	Lagomarsino	Skelton
Cramer	Lancaster	Smith (IA)
Crane	Lent	Smith (NJ)
Cunningham	Lewis (CA)	Smith (OR)
Dannemeyer	Lewis (FL)	Smith (TX)
Darden	Lightfoot	Snowe
Davis	Lipinski	Solomon
de la Garza	Livingston	Spence
DeLay	Lloyd	Spratt
Dickinson	Machtley	Stearns
Dicks	Martin	Stenholm
Doolittle	Martinez	Stump
Dornan (CA)	McCandless	Sundquist
Dreier	McCloskey	Swett
Dwyer	McCollum	Tallon
Edwards (OK)	McCrery	Tanner
Edwards (TX)	McCurdy	Tauzin
Emerson	McDade	Taylor (MS)
English	McEwen	Taylor (NC)
Erdreich	McGrath	Thomas (GA)
Fascell	McMillan (NC)	Thornton
Fields	McNulty	Trafficant
Franks (CT)	Michel	Upton
Frost	Miller (OH)	Vander Jagt
Galleghy	Miller (WA)	Volkmer
Gallo	Molinar	Vucanovich
Gaydos	Mollohan	Walker
Gekas	Montgomery	Walsh
Geren	Moorhead	Weldon
Gillmor	Morrison	Whitten
Gingrich	Murtha	Wilson
Gonzalez	Myers	Wolf
Goodling	Natcher	Wylie
Goss	Nichols	Young (AK)
Gradison	Nowak	Young (FL)
Gunderson	Ortiz	Zeliff
Hamilton	Oxley	Zimmer
Hammerschmidt	Packard	
Hancock	Parker	

NOT VOTING—16

Ballenger	Collins (IL)	Smith (FL)
Barnard	Cox (CA)	Stark
Bonior	Dymally	Traxler
Broomfield	Hefner	Weber
Bustamante	Lowery (CA)	
Chapman	Savage	

So the amendment was not agreed to.
After some further time,

§82.10 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BURTON:

Page 43, strike out line 22 and all that follows through line 9 on page 44.

It was decided in the } Yeas 218
affirmative } Nays 200

§82.11 [Roll No. 264] AYES—218

Allard	Andrews (ME)	Archer
Allen	Andrews (TX)	Armey

AuCoin	Hancock	Pease	Jones (NC)	Mrazek	Schroeder	Mrazek	Rahall	Solarz
Baker	Hansen	Penny	Jontz	Murtha	Schumer	Murphy	Ramstad	Staggers
Ballenger	Harris	Petri	Kanjorski	Myers	Serrano	Nagle	Reed	Stallings
Barrett	Hastert	Porter	Kaptur	Nagle	Sisisky	Neal (MA)	Ridge	Stark
Barton	Hayes (LA)	Poshard	Kennedy	Natcher	Skaggs	Nussle	Riggs	Stokes
Bentley	Hefley	Pursell	Kennelly	Neal (MA)	Skeen	Oakar	Roemer	Studds
Bereuter	Henry	Quillen	Kildee	Nowak	Skelton	Oberstar	Roth	Sweet
Bevill	Herger	Rahall	Klecza	Oakar	Slaughter	Obey	Roukema	Synar
Bilbray	Hoagland	Hamstad	Lancaster	Oberstar	Smith (IA)	Olin	Russo	Tallon
Bliley	Hobson	Ravenel	Lantos	Obey	Solarz	Olver	Sabo	Towns
Boehlert	Holloway	Ray	LaRocco	Olin	Stark	Orton	Sanders	Trafcant
Boehner	Hopkins	Regula	Lehman (FL)	Olver	Stokes	Owens (NY)	Sangmeister	Unsoeld
Boxer	Houghton	Rhodes	Levin (MI)	Ortiz	Studds	Owens (UT)	Santorum	Valentine
Brewster	Hubbard	Ridge	Levine (CA)	Owens (NY)	Swift	Pallone	Sawyer	Vento
Browder	Huckaby	Riggs	Lewis (CA)	Pallone	Tallon	Panetta	Scheuer	Visclosky
Bruce	Hunter	Ritter	Lewis (GA)	Panetta	Tanner	Pastor	Schiff	Washington
Bryant	Hutto	Roberts	Lightfoot	Parker	Taylor (MS)	Patterson	Schroeder	Waxman
Bunning	Hyde	Roemer	Lipinski	Payne (NJ)	Thomas (GA)	Payne (NJ)	Schumer	Weiss
Burton	Inhofe	Rogers	Livingston	Payne (VA)	Thornton	Pease	Sensenbrenner	Wheat
Callahan	Jacobs	Rohrabacher	Lloyd	Pelosi	Torres	Pelosi	Serrano	Williams
Camp	James	Roth	Lowery (CA)	Perkins	Towns	Penny	Sharp	Wise
Carper	Jenkins	Roukema	Lowey (NY)	Peterson (FL)	Trafcant	Petri	Shays	Wolpe
Chandler	Johnson (CT)	Rowland	Luken	Peterson (MN)	Vander Jagt	Porter	Sikorski	Wyden
Coble	Johnson (TX)	Santorum	Manton	Pickett	Visclosky	Poshard	Skaggs	Yates
Coleman (MO)	Johnston	Sarpalius	Markey	Pickle	Vucanovich	Price	Slaughter	Zimmer
Combest	Jones (GA)	Sawyer	Matsui	Price	Walsh	Pursell	Snowe	
Condit	Kasich	Saxton	Mavroules	Rangel	Waters			
Cooper	Klug	Schaefer	McCloskey	Reed	Waxman			
Costello	Kolbe	Schiff	McDade	Richardson	Weiss	Allard	Franks (CT)	Matsui
Cox (CA)	Kopetski	Schulze	McDermott	Rinaldo	Wheat	Allen	Frost	McCandless
Cox (IL)	Kostmayer	Sensenbrenner	McMillen (MD)	Roe	Whitten	Anderson	Galgely	McCollum
Cramer	Kyl	Sharp	McNulty	Ros-Lehtinen	Wilson	Andrews (NJ)	Gallo	McCrery
Crane	LaFalce	Shaw	Miller (CA)	Rose	Wise	Andrews (TX)	Gaydos	McCurdy
Cunningham	Lagomarsino	Shays	Miller (OH)	Rostenkowski	Wolf	Annunzio	Gephardt	McDade
Dannemeyer	Laughlin	Shuster	Mineta	Roybal	Wyden	Archer	Geren	McEwen
Davis	Leach	Sikorski	Mink	Russo	Yates	Armey	Gilchrest	McGrath
DeLay	Lehman (CA)	Slattery	Moakley	Sabo	Yatron	Aspin	Gillmor	McMillan (NC)
Derrick	Lent	Smith (NJ)	Mollohan	Sanders	Young (AK)	Baker	Gilman	McMillen (MD)
Dickinson	Lewis (FL)	Smith (OR)	Montgomery	Sangmeister	Young (FL)	Ballenger	Gingrich	McNulty
Doolittle	Long	Smith (TX)	Moorhead	Scheuer		Barrett	Glickman	Meyers
Dorgan (ND)	Machtley	Snowe				Barton	Gonzalez	Michel
Dornan (CA)	Marlenee	Solomon				Bateman	Goodling	Miller (OH)
Dreier	Martin	Spence				Bentley	Goss	Miller (WA)
Duncan	Mazzoli	Spratt				Bevill	Gradison	Molinari
Durbin	McCandless	Staggers				Bilbray	Grandy	Mollohan
Eckart	McCollum	Stallings				Bilirakis	Gunderson	Montgomery
Edwards (OK)	McCrery	Stearns				Bliley	Hall (TX)	Moorhead
Edwards (TX)	McCurdy	Stenholm				Boehlert	Hamilton	Moran
Emerson	McEwen	Stump				Boehner	Hammerschmidt	Morrison
English	McGrath	Sundquist				Borski	Hancock	Murtha
Erdreich	McHugh	Swett				Brewster	Hansen	Myers
Ewing	McMillan (NC)	Synar				Brooks	Harris	Natcher
Fawell	Meyers	Tauzin				Browder	Hastert	Neal (NC)
Fields	Mfume	Taylor (NC)				Brown	Hatcher	Nichols
Fish	Michel	Thomas (CA)				Bryant	Hayes (LA)	Nowak
Franks (CT)	Miller (WA)	Thomas (WY)				Bunning	Hefley	Ortiz
Galgely	Molinar	Torricelli				Burton	Herger	Oxley
Gallo	Moody	Unsoeld				Byron	Hertel	Packard
Gekas	Moran	Upton				Callahan	Hoagland	Parker
Gillmor	Morella	Valentine				Camp	Hobson	Paxon
Gingrich	Morrison	Vento				Campbell (CA)	Hochbrueckner	Payne (VA)
Glickman	Murphy	Volkmer				Carper	Holloway	Perkins
Goodling	Neal (NC)	Walker				Chandler	Hopkins	Peterson (FL)
Goss	Nichols	Weber				Chapman	Horton	Peterson (MN)
Gradison	Nussle	Weldon				Clinger	Houghton	Pickett
Grandy	Orton	Williams				Coleman (MO)	Hoyer	Pickle
Guarini	Owens (UT)	Wolpe				Coleman (TX)	Hubbard	Quillen
Gunderson	Oxley	Wylie				Combest	Huckaby	Ravenel
Hall (OH)	Packard	Zeliff				Cooper	Hunter	Ray
Hall (TX)	Patterson	Zimmer				Costello	Hutto	Regula
Hamilton	Paxon					Coughlin	Hyde	Rhodes
						Cox (CA)	Inhofe	Richardson
						Cramer	James	Rinaldo
						Crane	Jenkins	Ritter
						Cunningham	Johnson (CT)	Roberts
						Dannemeyer	Johnson (TX)	Roe
						Darden	Kanjorski	Rogers
						Davis	Kaptur	Rohrabacher
						de la Garza	Kasich	Ros-Lehtinen
						DeLay	Kolbe	Rose
						Dickinson	Kolter	Rostenkowski
						Dicks	Kyl	Rowland
						Dixon	Lagomarsino	Roybal
						Dooley	Lancaster	Sarpalius
						Doolittle	Laughlin	Saxton
						Dornan (CA)	Lehman (FL)	Schaefer
						Downey	Lent	Schulze
						Dreier	Levine (CA)	Shaw
						Dwyer	Lewis (CA)	Shuster
						Eckart	Lewis (FL)	Sisisky
						Edwards (OK)	Lightfoot	Skeen
						Edwards (TX)	Livingston	Skelton
						Emerson	Lloyd	Slattery
						English	Lowery (CA)	Smith (IA)
						Erdreich	Luken	Smith (NJ)
						Espy	Machtley	Smith (OR)
						Fascell	Manton	Smith (TX)
						Fazio	Marlenee	Solomon
						Fields	Martin	Spence
						Fish	Martinez	Spratt

NOES—248

NOT VOTING—16

So the amendment was agreed to.
After some further time,

82.12 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. PENNY:

Page 29, line 10, strike out “\$9,427,005,000” and insert in lieu thereof “\$6,740,433,000”.

It was decided in the } Yeas 173
negative } Nays 248

82.13 [Roll No. 265]

AYES—173

Abercrombie	Dorgan (ND)	Jones (NC)
Ackerman	Duncan	Jontz
Andrews (ME)	Durbin	Kennedy
Anthony	Early	Kennelly
Applegate	Edwards (CA)	Kildee
Atkins	Engel	Klecza
AuCoin	Evans	Klug
Bacchus	Ewing	Kopetski
Beilenson	Fawell	Kostmayer
Bennett	Feighan	LaFalce
Bereuter	Flake	Lantos
Berman	Foglietta	LaRocco
Blackwell	Ford (MI)	Leach
Boucher	Ford (TN)	Lehman (CA)
Boxer	Frank (MA)	Levin (MI)
Bruce	Gejdenson	Lewis (GA)
Cardin	Gekas	Lipinski
Carr	Gibbons	Long
Clay	Gordon	Lowey (NY)
Clement	Green	Markey
Coble	Guarini	Mavroules
Collins (MI)	Hall (OH)	Mazzoli
Condit	Hayes (IL)	McCloskey
Conyers	Henry	McDermott
Cox (IL)	Horn	McHugh
Coyne	Hughes	Mfume
DeFazio	Ireland	Miller (CA)
DeLauro	Jacobs	Mineta
Dellums	Jefferson	Mink
Dicks	Johnson (SD)	Moakley
Dingell	Johnston	Moody
Dixon	Donnelly	Morella

NOES—200

Abercrombie	Clinger	Foglietta
Ackerman	Coleman (TX)	Ford (MI)
Alexander	Collins (MI)	Ford (TN)
Anderson	Conyers	Frank (MA)
Andrews (NJ)	Coughlin	Frost
Annunzio	Coyne	Gaydos
Anthony	Darden	Gejdenson
Applegate	de la Garza	Gephardt
Aspin	DeFazio	Geren
Atkins	DeLauro	Gibbons
Bacchus	Dellums	Gilchrest
Bateman	Dicks	Gilman
Beilenson	Dingell	Gonzalez
Bennett	Dixon	Gordon
Berman	Donnelly	Green
Bilirakis	Dooley	Hammerschmidt
Blackwell	Downey	Hatcher
Borski	Dwyer	Hayes (IL)
Boucher	Early	Hertel
Brown	Edwards (CA)	Hochbrueckner
Byron	Engel	Horn
Campbell (CA)	Espy	Horton
Cardin	Evans	Hoyer
Carr	Fascell	Hughes
Chapman	Fazio	Ireland
Clay	Feighan	Jefferson
Clement	Flake	Johnson (SD)

Stearns	Thomas (WY)	Weber
Stenholm	Thornton	Weldon
Stump	Torres	Whitten
Sundquist	Torricelli	Wilson
Swift	Upton	Wolf
Tanner	Vander Jagt	Wyllie
Tauzin	Volkmer	Yatron
Taylor (MS)	Vucanovich	Young (AK)
Taylor (NC)	Walker	Young (FL)
Thomas (CA)	Walsh	Zeliff
Thomas (GA)	Waters	

NOT VOTING—13

Alexander	Campbell (CO)	Savage
Barnard	Collins (IL)	Smith (FL)
Bonior	Dymally	Traxler
Broomfield	Hefner	
Bustamante	Rangel	

So the amendment was not agreed to.

After some further time,

The SPEAKER pro tempore, Mr. GEPHARDT, assumed the Chair.

When Mr. OBERSTAR, Chairman, reported to the Committee, having had under consideration said bill, had directed him to report the same back to the House with sundry amendments adopted by the Committee with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

By unanimous consent, the previous question was ordered on the bill and amendments.

The following amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Page 37, after line 10, insert the following caption:

(INCLUDING RESCISSION)

Page 38, after line 10, insert the following: "Of the funds made available under this heading in the Department of Defense Appropriations Act, 1992 (Pub. L. 102-172; 105 Stat. 1150, 1166), \$25,000,000 for the Arctic Region Superconducting Center is rescinded."

Page 43, strike out line 22 and all that follows through line 9 on page 44.

Page 119, after line 2, insert the following new section:

SEC. 9131. Amounts appropriated in this Act for operation and maintenance for the Navy (for the payment of severance pay to foreign nationals employed by the Department of Defense in the Republic of the Philippines) shall be reduced by \$52,000,000.

Page 119, after line 2, add the following new section:

SEC. 9131. The total amount appropriated to or for the use of the Department of Defense by this Act is reduced by \$200,000,000 to reflect savings resulting from the decreased use of consulting services by the Department of Defense. The Secretary of Defense shall allocate the amount reduced in the preceding sentence and not later than March 1, 1993, report to the Senate and the House Committees on Appropriations and Armed Services how this reduction was allocated among the Services and Defense Agencies. *Provided*, That this section does not apply to the reserve components.

Page 119, after line 2, add the following new section:

SEC. 9131. The total amount appropriated to or for the use of the Department of Defense by this Act is reduced by \$500,000,000 to reflect savings with respect to secondary excess inventory items of the Department of Defense. The Secretary of Defense shall allocate the amount reduced in the preceding sentence and not later than March 1, 1993, report to the Senate and the House Committees on Appropriations and Armed Services how this reduction was allocated among the Services and Defense Agencies: *Provided*,

That this section does not apply to the reserve components.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. GEPHARDT, announced that the yeas had it.

Mr. MCDADE demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the	{	Yeas	328
affirmative		Nays	94

82.14

[Roll No. 266]

AYES—328

Abercrombie	Dickinson	Jacobs
Ackerman	Dicks	James
Alexander	Dingell	Jefferson
Allard	Dixon	Jenkins
Allen	Donnelly	Johnson (CT)
Anderson	Dooley	Johnson (SD)
Andrews (ME)	Dorgan (ND)	Johnson (TX)
Andrews (NJ)	Downey	Jones (GA)
Andrews (TX)	Duncan	Jones (NC)
Annunzio	Durbin	Kanjorski
Anthony	Dwyer	Kaptur
Archer	Eckart	Kasich
Aspin	Edwards (OK)	Kennedy
Atkins	Edwards (TX)	Kennelly
Bacchus	Engel	Kildee
Baker	English	Kleczka
Ballenger	Erdreich	Kolbe
Barrett	Espy	Kolter
Barton	Evans	Kopetski
Bateman	Ewing	Kostmayer
Bennett	Fascell	LaFalce
Bentley	Fazio	Lancaster
Bereuter	Feighan	Lantos
Berman	Fish	LaRocco
Beverly	Foglietta	Laughlin
Bilbray	Ford (MI)	Lehman (CA)
Bilirakis	Franks (CT)	Lehman (FL)
Blackwell	Frost	Lent
Bliley	Gallegly	Levin (MI)
Boehlert	Gallo	Levine (CA)
Boehner	Gaydos	Lewis (CA)
Borski	Gejdenson	Lewis (FL)
Boucher	Gekas	Lightfoot
Brewster	Gephardt	Lipinski
Brooks	Geren	Livingston
Browder	Gibbons	Lloyd
Brown	Gilchrest	Long
Bruce	Gillmor	Lowery (CA)
Bunning	Gilman	Lowey (NY)
Burton	Gingrich	Machtley
Byron	Glickman	Manton
Callahan	Gonzalez	Martin
Camp	Goodling	Martinez
Campbell (CA)	Gordon	Matsui
Cardin	Gradison	Mavroules
Carper	Grandy	Mazzoli
Carr	Guarini	McCandless
Chandler	Gunderson	McCloskey
Chapman	Hall (OH)	McCollum
Clement	Hall (TX)	McCrery
Clinger	Hamilton	McCurdy
Coble	Hammerschmidt	McDade
Coleman (MO)	Hansen	McGrath
Coleman (TX)	Harris	McHugh
Collins (MI)	Hastert	McMillan (NC)
Combest	Hatcher	McMillen (MD)
Condit	Hayes (LA)	McNulty
Conyers	Hefley	Meyers
Cooper	Hertel	Michel
Costello	Hoagland	Miller (CA)
Coughlin	Hobson	Miller (OH)
Cox (IL)	Hochbrueckner	Miller (WA)
Coyne	Holloway	Mink
Cramer	Horn	Moakley
Cunningham	Horton	Molinari
Dannemeyer	Houghton	Mollohan
Darden	Hoyer	Montgomery
Davis	Huckaby	Moorhead
de la Garza	Hunter	Moran
DeLauro	Hutto	Morrison
DeLay	Inhofe	Mrazek
Derrick	Ireland	Murtha

Myers	Roe	Sundquist
Natcher	Roemer	Swett
Neal (NC)	Rogers	Swift
Nowak	Rohrabacher	Synar
Oakar	Ros-Lehtinen	Tallon
Obey	Rose	Tanner
Olin	Rostenkowski	Tauzin
Ortiz	Rowland	Taylor (MS)
Orton	Roybal	Taylor (NC)
Owens (UT)	Russo	Thomas (CA)
Oxley	Sabo	Thomas (GA)
Panetta	Sangmeister	Thomas (WY)
Parker	Santorum	Thornton
Pastor	Sarpalius	Torres
Patterson	Sawyer	Torricelli
Paxon	Saxton	Towns
Payne (VA)	Schaefer	Trafigant
Pelosi	Schiff	Upton
Penny	Schumer	Valentine
Perkins	Sharp	Vander Jagt
Peterson (FL)	Shaw	Visclosky
Peterson (MN)	Shuster	Walker
Pickett	Sisisky	Walsh
Pickle	Skaggs	Weber
Porter	Skeen	Weldon
Poshard	Skelton	Wheat
Price	Slattery	Whitten
Quillen	Slaughter	Williams
Ravenel	Smith (IA)	Wilson
Ray	Smith (NJ)	Wise
Reed	Smith (OR)	Wolf
Regula	Smith (TX)	Wolpe
Rhodes	Snowe	Wyllie
Richardson	Solarz	Yatron
Ridge	Spence	Young (AK)
Riggs	Spratt	Young (FL)
Rinaldo	Staggers	
Ritter	Stenholm	

NOES—94

Applegate	Klug	Roth
Armey	Kyl	Roukema
AuCoin	Lagomarsino	Sanders
Beilenson	Leach	Savage
Boxer	Lewis (GA)	Scheuer
Clay	Luken	Schroeder
Cox (CA)	Markey	Schulze
Crane	Marlenee	Sensenbrenner
DeFazio	McDermott	Serrano
Dellums	McEwen	Shays
Doolittle	Mfume	Sikorski
Dornan (CA)	Mineta	Solomon
Dreier	Moody	Stallings
Early	Morella	Stark
Emerson	Murphy	Stearns
Fawell	Nagle	Stokes
Fields	Neal (MA)	Studds
Flake	Nichols	Stump
Ford (TN)	Nussle	Unsoeld
Frank (MA)	Oberstar	Vento
Goss	Olver	Volkmer
Green	Owens (NY)	Vucanovich
Hancock	Packard	Washington
Hayes (IL)	Pallone	Waters
Henry	Payne (NJ)	Waxman
Herger	Pease	Weiss
Hopkins	Petri	Wyden
Hubbard	Pursell	Yates
Hughes	Rahall	Zeliff
Hyde	Ramstad	Zimmer
Johnston	Rangel	
Jontz	Roberts	

NOT VOTING—12

Barnard	Bustamante	Edwards (CA)
Bonior	Campbell (CO)	Hefner
Broomfield	Collins (IL)	Smith (FL)
Bryant	Dymally	Traxler

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

82.15 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. MURTHA, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill the Clerk be authorized to correct section numbers, punctuation, cross references, and to make other technical corrections.

182.16 ADJOURNMENT OF THE TWO HOUSES

Mr. HOYER, by unanimous consent, submitted the following concurrent resolution (H. Con. Res. 343):

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, July 2, 1992, it stand adjourned until noon on Tuesday, July 7, 1992, and that when the House adjourns on the legislative day of Thursday, July 9, 1992, it stand adjourned until noon on Tuesday, July 21, 1992, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Thursday, July 2, 1992, in accordance with this resolution, it stand recessed or adjourned until Monday, July 20, 1992, at such time as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

182.17 ORDER OF BUSINESS— CONSIDERATION OF CONFERENCE REPORT ON H.R. 5260

On motion of Mr. ROSTENKOWSKI, by unanimous consent,

Ordered, That, notwithstanding the provisions of clause 2 of rule XXVIII, it may be in order for the immediate consideration of the conference report on the bill (H.R. 5260) to extend the emergency unemployment compensation program, to revise the trigger provisions contained in the extended unemployment compensation program, and for other purposes; that all points of order against said conference report and its consideration are hereby waived; and that said conference report shall be considered as read when called up.

182.18 SUBMISSION OF CONFERENCE REPORT—H.R. 5260

Mr. ROSTENKOWSKI submitted a conference report (Rept. No. 102-650) on the bill (H.R. 5260) to extend the emergency unemployment compensation program, to revise the trigger provisions contained in the extended unemployment compensation program, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

182.19 EMERGENCY UNEMPLOYMENT PROGRAM

Mr. ROSTENKOWSKI, pursuant to the foregoing special order, called up the following conference report (Rept. No. 102-650):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5260), to extend the emergency unemployment compensation program, to revise the trigger provisions contained in the extended unemployment compensation program, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Unemployment Compensation Amendments of 1992".

TITLE I—EXTENSION OF EMERGENCY UNEMPLOYMENT COMPENSATION PROGRAM

SEC. 101. EXTENSION OF PROGRAM.

(a) GENERAL RULE.—Sections 102(f)(1) and 106(a)(2) of the Emergency Unemployment Compensation Act of 1991 (Public Law 102-164, as amended) are each amended by striking "July 4, 1992" and inserting "March 6, 1993".

(b) WEEKS OF BENEFITS AVAILABLE DURING EXTENSION.—Subparagraph (A) of section 102(b)(2) of such Act is amended by striking clause (ii) and the flush paragraph at the end thereof and inserting the following:

"(ii) REDUCTION FOR WEEKS AFTER JUNE 13, 1992.—In the case of weeks beginning after June 13, 1992—

"(I) clause (i) of this subparagraph shall be applied by substituting '26' for '33', and by substituting '20' for '26', and

"(II) subparagraph (A) of paragraph (1) shall be applied by substituting '100 percent' for '130 percent'.

"(iii) REDUCTION FOR WEEKS IN 7-PERCENT PERIOD.—In the case of weeks beginning in a 7-percent period—

"(I) clause (ii) of this subparagraph shall not apply,

"(II) clause (i) of this subparagraph shall be applied by substituting '15' for '33', and by substituting '10' for '26', and

"(III) subparagraph (A) of paragraph (1) shall be applied by substituting '60 percent' for '130 percent'.

"(iv) REDUCTION FOR WEEKS IN 6.8-PERCENT PERIOD.—In the case of weeks beginning in a 6.8-percent period—

"(I) clauses (ii) and (iii) of this subparagraph shall not apply,

"(II) clause (i) of this subparagraph shall be applied by substituting '13' for '33', and by substituting '7' for '26', and

"(III) subparagraph (A) of paragraph (1) shall be applied by substituting '50 percent' for '130 percent'.

"(v) 7-PERCENT PERIOD; 6.8-PERCENT PERIOD.—For purposes of this subparagraph—

"(I) A 7-percent period means a period which begins with the second week after the first week for which the requirements of subclause (II) are met and a 6.8 percent period means a period which begins with the second week after the first week for which the requirements of subclause (III) are met.

"(II) The requirements of this subclause are met for any week if the average rate of total unemployment (seasonally adjusted) for all States for the period consisting of the

most recent 2-calendar month period (for which data are published before the close of such week) is at least 6.8 percent, but less than 7 percent.

"(III) The requirements of this subclause are met for any week if the average rate of total unemployment (seasonally adjusted) for all States for the period consisting of the most recent 2-calendar month period (for which data are published before the close of such week) is less than 6.8 percent.

In no event shall a 7-percent period occur after a 6.8-percent period occurs and a 6.8-percent period, once begun, shall continue in effect for all weeks for which benefits are provided under this Act.

"(vi) LIMITATIONS ON REDUCTIONS.—In the case of an individual who is receiving emergency unemployment compensation for a week preceding the first week for which a reduction applies under clause (ii), (iii), or (iv) of this subparagraph, such reduction shall not apply to such individual for the first week of such reduction or any week thereafter for which the individual meets the eligibility requirements of this Act."

(c) MODIFICATION TO FINAL PHASE-OUT.—Paragraph (2) of section 102(f) of such Act is amended to read as follows:

"(2) TRANSITION.—In the case of an individual who is receiving emergency unemployment compensation for a week prior to or including March 6, 1993, emergency unemployment compensation shall continue to be payable to such individual for any week thereafter for which the individual meets the eligibility requirements of this Act. No compensation shall be payable by reason of the preceding sentence for any week beginning after June 19, 1993."

(d) CONFORMING AMENDMENT.—

(1) Subparagraph (B) of section 102(b)(2) of such Act is amended by striking "subparagraph (A)(ii)" and inserting "clauses (ii), (iii), and (iv) of subparagraph (A)".

(2) Section 101(e) of such Act is amended—

(A) by striking "(e) ELECTION.—Notwithstanding" and inserting:

"(e) ELECTION BY STATES; WEEKS OF BENEFITS DURING PHASE-OUT.—

"(1) ELECTION BY STATES.—Notwithstanding"

(B) by adding at the end of paragraph (1), as redesignated by subparagraph (A), the following new sentence: "The preceding sentence shall not be applicable with respect to any extended compensation period which begins after March 6, 1993, nor shall the special rule in section 203(b)(1)(B) of the Federal-State Extended Unemployment Compensation Act of 1970 (or the similar provision in any State law) operate to preclude the beginning of an extended compensation period after March 6, 1993, because of the ending of an earlier extended compensation period under the preceding sentence.", and

(C) by adding at the end thereof the following new paragraph:

"(2) WEEKS OF BENEFITS DURING PHASE-OUT.—Notwithstanding subsection (b)(1)(B) or any other provision of law, whenever an extended compensation period is beginning in a State (and is not triggered off under paragraph (1)) an individual, who is entitled to extended compensation in the new extended compensation period (whether or not the individual applies therefor) and also has remaining entitlement to emergency unemployment compensation under this Act, shall be entitled to compensation under the program in which the individual's monetary entitlement (as of the beginning of the first week of the extended compensation period) is the greater."

(e) EFFECTIVE DATE.—The amendments made by this section apply to weeks of unemployment beginning after June 13, 1992.

SEC. 102. MODIFICATION TO ELIGIBILITY REQUIREMENTS.

(a) INDIVIDUAL NOT INELIGIBLE BY REASON OF SUBSEQUENT ENTITLEMENT TO REGULAR BENEFITS.—Section 101 of such Act is amended by adding at the end thereof the following new subsection:

“(f) CERTAIN RIGHTS TO REGULAR COMPENSATION DISREGARDED.—If an individual exhausted his rights to regular compensation for any benefit year, such individual’s eligibility to receive emergency unemployment compensation under this Act in respect of such benefit year shall be determined without regard to any rights to regular compensation for a subsequent benefit year if such individual does not file a claim for regular compensation for such subsequent benefit year.”

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by this section shall apply to weeks of unemployment beginning after the date of the enactment of this Act.

(2) TRANSITION RULES.—

(A) WAIVER OF RECOVERY OF CERTAIN OVERPAYMENTS.—On and after the date of the enactment of this Act, no repayment of any emergency unemployment compensation shall be required under section 105 of the Emergency Unemployment Compensation Act of 1991 (Public Law 102-164, as amended) if the individual would have been entitled to receive such compensation had the amendment made by subsection (a) applied to all weeks beginning on or before the date of the enactment of this Act.

(B) WAIVER OF RIGHTS TO CERTAIN REGULAR BENEFITS.—If—

(i) before the date of the enactment of this Act, an individual exhausted his rights to regular compensation for any benefit year, and

(ii) after such exhaustion, such individual was not eligible to receive emergency unemployment compensation by reason of being entitled to regular compensation for a subsequent benefit year, such individual may elect to defer his rights to regular compensation for such subsequent benefit year with respect to weeks beginning after such date of enactment until such individual has exhausted his rights to emergency unemployment compensation in respect of the benefit year referred to in clause (i), and such individual shall be entitled to receive emergency unemployment compensation for such weeks in the same manner as if he had not been entitled to the regular compensation to which the election applies.

SEC. 103. TECHNICAL MODIFICATION FOR REIMBURSABLE EMPLOYERS.

(a) GENERAL RULE.—Subsection (d) of section 104 of the Emergency Unemployment Compensation Act of 1991 (Public Law 102-164, as amended) is amended by striking “as may be necessary” and inserting “as the Secretary estimates to be necessary”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 104. TREATMENT OF PERSIAN GULF CRISIS RESERVISTS.

If—

(1) an individual who was a member of a reserve component of the Armed Forces was called for active duty after August 2, 1990, and before March 1, 1991,

(2) such individual was receiving regular compensation, extended compensation, or a trade readjustment allowance for the week in which he was so called,

(3) such individual served on such active duty for at least 90 consecutive days, and

(4) such individual was entitled to regular compensation on the basis of his services on such active duty, but the weekly benefit amount was less than the benefit amount he

received for the week referred to in paragraph (2),

such individual’s weekly benefit amount under the Emergency Unemployment Compensation Act of 1991 for any week beginning after the date of the enactment of this Act shall be not less than the benefit amount he received for the week referred to in paragraph (2).

SEC. 105. TREATMENT OF RAILROAD WORKERS.

(a) EXTENSION OF PROGRAM.—

(1) IN GENERAL.—Sections 501(b)(1) and (2) of the Emergency Unemployment Compensation Act of 1991 (Public Law 102-164, as amended) are each amended by striking “July 4, 1992”, and inserting “March 6, 1993”.

(2) CONFORMING AMENDMENTS.—

(A) Section 501(a) of such Act is amended by striking “July 1992” and inserting “March 1993”.

(B) Paragraph (2) of section 501(d) of such Act is amended to read as follows:

“(2) PHASE-OUT.—

“(A) BENEFITS ON OR AFTER JUNE 14, 1992.—Effective on and after June 14, 1992, paragraph (1) of this section shall be applied by substituting ‘100’ for ‘130’ each place it appears, and by substituting ‘10’ for ‘13’ each place it appears.

“(B) REDUCTIONS UNDER EMERGENCY COMPENSATION EXTENSION PROVISIONS.—

“(i) Effective on and after the date on which a reduction in benefits is imposed under section 102(b)(2)(A)(iii), subparagraph (A) of this paragraph and subparagraphs (B) and (C) of paragraph (1) shall not apply and subparagraph (A) of paragraph (1) shall be applied by substituting ‘50’ for ‘130’.

“(ii) Effective on and after the date on which a reduction in benefits is imposed under section 102(b)(2)(A)(iv), subparagraph (A) of this paragraph and subparagraphs (B) and (C) of paragraph (1) shall not apply and subparagraph (A) of paragraph (1) shall be applied by substituting ‘35’ for ‘130’.

“(C) LIMITATIONS ON REDUCTIONS.—Notwithstanding subparagraphs (A) and (B), in the case of an individual who is receiving extended benefits under section 2(c) of the Railroad Unemployment Insurance Act for persons with 10 or more but less than 15 years of service, or extended benefits by reason of this section, for any day during a week which precedes a period for which a reduction under this paragraph takes effect, such reduction shall not apply for purposes of determining the amount of benefits payable to such individual for any day thereafter for which the individual meets the eligibility requirements of this section and the Railroad Unemployment Insurance Act.”

(b) TERMINATION OF BENEFITS.—Section 501 of the Emergency Unemployment Compensation Act of 1991 (Public Law 102-164, as amended) is amended by adding at the end the following new subsection:

“(e) TERMINATION OF BENEFITS.—In the case of an individual who is receiving extended benefits by reason of this section on March 6, 1993, such benefits shall not continue to be payable to such individual after June 19, 1993.”

SEC. 106. EFFECT OF CERTAIN MILITARY SERVICE ON TRADE ADJUSTMENT ASSISTANCE.

(a) TRADE ADJUSTMENT ASSISTANCE.—Paragraph (2) of section 231(a) of the Trade Act of 1974 (19 U.S.C. 2291(a)(2)) is amended—

(1) by striking “or” at the end of subparagraph (B),

(2) by inserting “or” at the end of subparagraph (C),

(3) by inserting immediately after subparagraph (C) the following new subparagraph:

“(D) is on call-up for purposes of active duty in a reserve status in the Armed Forces of the United States, provided such active duty is ‘Federal service’ as defined in 5 U.S.C. 8521(a)(1),” and

(4) by striking “paragraph (A) or (C), or both,” and inserting “subparagraph (A) or (C), or both (and not more than 26 weeks, in the case of weeks described in subparagraph (B) or (D)).”

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to weeks beginning after August 1, 1990.

SEC. 107. FINANCING PROVISIONS.

Section 104 of the Emergency Unemployment Compensation Act of 1991 (Public Law 102-164, as amended) is amended by adding at the end thereof the following new subsection:

“(e) TRANSFER OF FUNDS.—Notwithstanding any other provision of law, the Secretary of the Treasury shall transfer from the general fund of the Treasury (from funds not otherwise appropriated)—

“(1) to the extended unemployment compensation account (as established by section 905 of the Social Security Act) such sums as are necessary to make payments to States under this Act by reason of the amendments made by sections 101 and 102 of the Unemployment Compensation Amendments of 1992, and

“(2) to the employment security administration account (as established by section 901 of the Social Security Act) such sums as may be necessary for purposes of assisting States in meeting administrative costs by reason of the amendments made by sections 101, 102, 201, and 202 of the Unemployment Compensation Amendments of 1992.

There is hereby appropriated from such accounts the sums referred to in the preceding sentence and such sums shall not be required to be repaid.”

TITLE II—MODIFICATIONS TO EXTENDED BENEFITS PROGRAM

SEC. 201. MODIFICATION OF TRIGGER PROVISIONS.

(a) IN GENERAL.—Section 203 of the Federal-State Extended Unemployment Compensation Act of 1970 is amended by adding at the end thereof the following new subsection:

“ALTERNATIVE TRIGGER

“(f)(1) Effective with respect to compensation for weeks of unemployment beginning after March 6, 1993, the State may by law provide that for purposes of beginning or ending any extended benefit period under this section—

“(A) there is a State ‘on’ indicator for a week if—

“(i) the average rate of total unemployment in such State (seasonally adjusted) for the period consisting of the most recent 3 months for which data for all States are published before the close of such week equals or exceeds 6.5 percent, and

“(ii) the average rate of total unemployment in such State (seasonally adjusted) for the 3-month period referred to in clause (i) equals or exceeds 110 percent of such average rate for either (or both) of the corresponding 3-month periods ending in the 2 preceding calendar years; and

“(B) there is a State ‘off’ indicator for a week if either the requirements of clause (i) or clause (ii) of subparagraph (A) are not satisfied.

Notwithstanding the provision of any State law described in this paragraph, any week for which there would otherwise be a State ‘on’ indicator shall continue to be such a week and shall not be determined to be a week for which there is a State ‘off’ indicator.

“(2) For purposes of this subsection, determinations of the rate of total unemployment in any State for any period (and of any seasonal adjustment) shall be made by the Secretary.”

(b) ADDITIONAL WEEKS OF BENEFITS AVAILABLE DURING PERIODS OF HIGH UNEMPLOY-

MENT.—Subsection (b) of section 202 of such Act is amended by adding at the end thereof the following new paragraph:

“(3)(A) Effective with respect to weeks beginning in a high unemployment period, paragraph (1) shall be applied by substituting—

“(i) ‘80 per centum’ for ‘50 per centum’ in subparagraph (A),

“(ii) ‘twenty’ for ‘thirteen’ in subparagraph (B), and

“(iii) ‘forty-six’ for ‘thirty-nine’ in subparagraph (C).

“(B) For purposes of subparagraph (A), the term ‘high unemployment period’ means any period during which an extended benefit period would be in effect if section 203(f)(1)(A)(i) were applied by substituting ‘8 percent’ for ‘6.5 percent.’”

(c) CONFORMING AMENDMENT.—Paragraph (2) of section 204(c) of such Act is amended by inserting “, forty-six in any case where section 202(b)(3)(A) applies” after “thirty-nine”.

SEC. 202. MODIFICATION OF ELIGIBILITY REQUIREMENTS FOR UNEMPLOYMENT BENEFITS.

(a) EARNINGS TEST.—

(1) In general.—Paragraph (5) of section 202(a) of the Federal-State Extended Unemployment Compensation Act of 1970 is amended by striking “which one of the foregoing methods” and inserting “which one or more of the foregoing methods”.

(2) EFFECTIVE DATE.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the amendment made by paragraph (1) shall apply for purposes of extended unemployment compensation and emergency unemployment compensation to weeks of unemployment beginning on or after the date of the enactment of this Act.

(B) WAIVER OF RECOVERY OF CERTAIN OVERPAYMENTS.—On and after the date of the enactment of this Act, no repayment of any emergency unemployment compensation shall be required under section 105 of the Emergency Unemployment Compensation Act of 1991 (Public Law 102-164, as amended) if the individual would have been entitled to receive such compensation had the amendment made by paragraph (1) applied to all weeks beginning before the date of the enactment of this Act.

(b) SUSPENSION OF CERTAIN ELIGIBILITY REQUIREMENTS.—

(1) IN GENERAL.—Section 202(a) of such Act is amended by adding at the end thereof the following new paragraph:

“(7) Paragraphs (3) and (4) shall not apply to weeks of unemployment beginning after March 6, 1993, and before January 1, 1995, and no provision of State law in conformity with such paragraphs shall apply during such period.”

(2) STUDY.—The Federal Advisory Council established under section 908 of the Social Security Act shall conduct a study of the provisions suspended by the amendment made by paragraph (1). Not later than February 1, 1994, such Council shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, a report of its recommendations on such suspended provisions (including whether such provisions should be repealed or revised).

TITLE III—MODIFICATIONS TO FEDERAL UNEMPLOYMENT TAX

SEC. 301. INFORMATION REQUIRED WITH RESPECT TO TAXATION OF UNEMPLOYMENT BENEFITS.

(a) INFORMATION ON UNEMPLOYMENT BENEFITS.—

(1) GENERAL RULE.—The State agency in each State shall provide to an individual filing a claim for compensation under the State unemployment compensation law a

written explanation of the Federal and State income taxation of unemployment benefits and of the requirements to make payments of estimated Federal and State income taxes.

(2) STATE AGENCY.—For purposes of this subsection, the term “State agency” has the meaning given such term by section 3306(e) of the Internal Revenue Code of 1986.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1992.

SEC. 302. MAILING OF CERTAIN INFORMATION PERMITTED.

(a) GENERAL RULE.—Section 302 of the Social Security Act (42 U.S.C. 502) is amended by adding at the end thereof the following new subsection:

“(c) No portion of the cost of mailing a statement under section 6050B(b) of the Internal Revenue Code of 1986 (relating to unemployment compensation) shall be treated as not being a cost for the proper and efficient administration of the State unemployment compensation law by reason of including with such statement information about the earned income credit provided by section 32 of the Internal Revenue Code of 1986. The preceding sentence shall not apply if the inclusion of such information increases the postage required to mail such statement.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 303. EXTENSION OF EXISTING TREATMENT OF CERTAIN AGRICULTURAL WORKERS.

(a) GENERAL RULE.—Subparagraph (B) of section 3306(c)(1) of the Internal Revenue Code of 1986 is amended by striking “January 1, 1993” and inserting “January 1, 1995”.

(b) REPORT.—Not later than February 1, 1994, the Advisory Council on Unemployment Compensation shall submit a report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate on its recommendations with respect to the treatment of agricultural labor performed by aliens.

SEC. 304. EXTENSION OF PERIOD FOR REPAYMENT OF FEDERAL LOANS TO STATE UNEMPLOYMENT FUNDS.

(a) GENERAL RULE.—If the Secretary of Labor determines that a State meets the requirements of subsection (b), paragraph (2) of section 3302(c) of the Internal Revenue Code of 1986 shall be applied with respect to such State for taxable years after 1991—

(1) by substituting “third” for “second” in subparagraph (A)(i),

(2) by substituting “fourth or fifth” for “third or fourth” in subparagraph (B), and

(3) by substituting “sixth” for “fifth” in subparagraph (C).

(b) REQUIREMENTS.—A State meets the requirements of this subsection if, during calendar year 1992 or 1993, the State amended its unemployment compensation law to increase estimated contributions required under such law by at least 25 percent.

(c) SPECIAL RULE.—This section shall not apply to any taxable year after 1994 unless—

(1) such taxable year is in a series of consecutive taxable years as of the beginning of each of which there was a balance referred to in section 3302(c)(2) of such Code, and

(2) such series includes a taxable year beginning in 1992, 1993, or 1994.

TITLE IV—MODIFICATION TO REGULAR STATE UNEMPLOYMENT COMPENSATION PROGRAMS

SEC. 401. TREATMENT OF SHORT-TIME UNEMPLOYMENT COMPENSATION PROGRAMS.

(a) AUTHORIZATION OF PROGRAMS.—

(1) Paragraph (4) of section 3304(a) of the Internal Revenue Code of 1986 is amended by striking “and” at the end of subparagraph

(C), by inserting “and” at the end of subparagraph (D) and by adding at the end thereof the following new subparagraph:

“(E) amounts may be withdrawn for the payment of short-time compensation under a plan approved by the Secretary of Labor;”

(2) Subsection (f) of section 3306 of such Code is amended by striking “and” at the end of paragraph (2) by striking the period at the end of paragraph (3) and inserting “; and”, and by adding at the end thereof the following new paragraph:

“(4) amounts may be withdrawn for the payment of short-time compensation under a plan approved by the Secretary of Labor.”

(3) Section 303(a)(5) of the Social Security Act is amended by inserting before “; and” the following “: *Provided further*, That amounts may be withdrawn for the payment of short-time compensation under a plan approved by the Secretary of Labor”.

(b) ASSISTANCE IN IMPLEMENTING PROGRAMS.—In order to assist States in establishing and implementing short-time compensation programs—

(1) the Secretary of Labor (hereinafter in this section referred to as the “Secretary”) shall develop model legislative language which may be used by States in developing and enacting short-time compensation programs and shall propose such revisions of such legislative language as may be appropriate, and

(2) the Secretary shall provide technical assistance and guidance in developing, enacting, and implementing such programs.

The initial model legislative language referred to in paragraph (1) shall be developed not later than January 1, 1993.

(c) REPORTS.—

(1) INITIAL REPORT.—Not later than January 1, 1995, the Secretary shall submit to the Congress a report on the implementation of this section. Such report shall include an evaluation of short-time compensation programs and shall contain such recommendations as the Secretary may deem advisable.

(2) SUBSEQUENT REPORTS.—After the submission of the report under paragraph (1), the Secretary shall submit such additional reports on the implementation of short-time compensation programs as the Secretary deems appropriate.

(d) DEFINITIONS.—For purposes of this section—

(1) SHORT-TIME COMPENSATION PROGRAM.—The term “short-time compensation program” means a program under which—

(A) individuals whose workweeks have been reduced by at least 10 percent are eligible for unemployment compensation;

(B) the amount of unemployment compensation payable to any such individual is a pro rata portion of the unemployment compensation which would be payable to the individual if the individual were totally unemployed;

(C) eligible employees are not required to meet the availability for work or work search test requirements while collecting short-time compensation benefits, but are required to be available for their normal workweek;

(D) eligible employees may participate in an employer-sponsored training program to enhance job skills if such program has been approved by the State agency; and

(E) there is a reduction in the number of hours worked by employees in lieu of imposing temporary layoffs.

(2) STATE.—The term “State” includes the District of Columbia, the Commonwealth of Puerto Rico, and the Virgin Islands.

TITLE V—REVENUE PROVISIONS

SEC. 501. AMENDMENT OF 1986 CODE.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment

to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

Subtitle A—Extension of Phaseout of Personal Exemptions; Corporate Estimated Tax Provisions

SEC. 511. EXTENSION OF PHASEOUT OF PERSONAL EXEMPTIONS.

Subparagraph (E) of section 151(d)(3) (relating to termination of phaseout) is amended by striking "December 31, 1995" and inserting "December 31, 1996".

SEC. 512. CORPORATE ESTIMATED TAX PROVISIONS.

(a) GENERAL RULE.—Subsection (d) of section 6655 (relating to amount of required installments) is amended—

(1) by striking "90 percent" each place it appears in paragraph (1)(B)(i) and inserting "91 percent";

(2) by striking "90 PERCENT" in the heading of paragraph (2) and inserting "91 PERCENT", and

(3) by striking paragraph (3) and inserting the following new paragraph:

"(3) TEMPORARY INCREASE IN AMOUNT OF INSTALLMENT BASED ON CURRENT YEAR TAX.—In the case of any taxable year beginning after June 30, 1992, and before 1997—

"(A) paragraph (1)(B)(i) and subsection (e)(3)(A)(i) shall be applied by substituting '97 percent' for '91 percent' each place it appears, and

"(B) the table contained in subsection (e)(2)(B)(ii) shall be applied by substituting '24.25', '48.50', '72.75', and '97' for '22.75', '45.50', '68.25', and '91.00', respectively."

(b) CONFORMING AMENDMENTS.—

(1) Clause (ii) of section 6655(e)(2)(B) is amended by striking the table contained therein and inserting the following new table:

following required installments:	The applicable percentage is:
1st	22.75
2nd	45.50
3rd	68.25
4th	91.00."

(2) Clause (i) of section 6655(e)(3)(A) is amended by striking "90 percent" and inserting "91 percent".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after June 30, 1992.

Subtitle B—Pension Distributions

SEC. 521. TAXABILITY OF BENEFICIARY OF QUALIFIED PLAN.

(a) IN GENERAL.—So much of section 402 (relating to taxability of beneficiary of employees' trust) as precedes subsection (g) thereof is amended to read as follows:

"SEC. 402. TAXABILITY OF BENEFICIARY OF EMPLOYEES' TRUST.

"(a) TAXABILITY OF BENEFICIARY OF EXEMPT TRUST.—Except as otherwise provided in this section, any amount actually distributed to any distributee by any employees' trust described in section 401(a) which is exempt from tax under section 501(a) shall be taxable to the distributee, in the taxable year of the distributee in which distributed, under section 72 (relating to annuities).

"(b) TAXABILITY OF BENEFICIARY OF NON-EXEMPT TRUST.—

"(1) CONTRIBUTIONS.—Contributions to an employees' trust made by an employer during a taxable year of the employer which ends with or within a taxable year of the trust for which the trust is not exempt from tax under section 501(a) shall be included in the gross income of the employee in accordance with section 83 (relating to property transferred in connection with performance of services), except that the value of the employee's interest in the trust shall be sub-

stituted for the fair market value of the property for purposes of applying such section.

"(2) DISTRIBUTIONS.—The amount actually distributed or made available to any distributee by any trust described in paragraph (1) shall be taxable to the distributee, in the taxable year in which so distributed or made available, under section 72 (relating to annuities), except that distributions of income of such trust before the annuity starting date (as defined in section 72(c)(4)) shall be included in the gross income of the employee without regard to section 72(e)(5) (relating to amounts not received as annuities).

"(3) GRANTOR TRUSTS.—A beneficiary of any trust described in paragraph (1) shall not be considered the owner of any portion of such trust under subpart E of part I of subchapter J (relating to grantors and others treated as substantial owners).

"(4) FAILURE TO MEET REQUIREMENTS OF SECTION 401(b).—

"(A) HIGHLY COMPENSATED EMPLOYEES.—If 1 of the reasons a trust is not exempt from tax under section 501(a) is the failure of the plan of which it is a part to meet the requirements of section 401(a)(26) or 401(b), then a highly compensated employee shall, in lieu of the amount determined under paragraph (1) or (2) include in gross income for the taxable year with or within which the taxable year of the trust ends an amount equal to the vested accrued benefit of such employee (other than the employee's investment in the contract) as of the close of such taxable year of the trust.

"(B) FAILURE TO MEET COVERAGE TESTS.—If a trust is not exempt from tax under section 501(a) for any taxable year solely because such trust is part of a plan which fails to meet the requirements of section 401(a)(26) or 401(b), paragraphs (1) and (2) shall not apply by reason of such failure to any employee who was not a highly compensated employee during—

"(i) such taxable year, or

"(ii) any preceding period for which service was creditable to such employee under the plan.

"(C) HIGHLY COMPENSATED EMPLOYEE.—For purposes of this paragraph, the term 'highly compensated employee' has the meaning given such term by section 414(q).

"(c) RULES APPLICABLE TO ROLLOVERS FROM EXEMPT TRUSTS.—

"(1) EXCLUSION FROM INCOME.—If—

"(A) any portion of the balance to the credit of an employee in a qualified trust is paid to the employee in an eligible rollover distribution,

"(B) the distributee transfers any portion of the property received in such distribution to an eligible retirement plan, and

"(C) in the case of a distribution of property other than money, the amount so transferred consists of the property distributed, then such distribution (to the extent so transferred) shall not be includible in gross income for the taxable year in which paid.

"(2) MAXIMUM AMOUNT WHICH MAY BE ROLLED OVER.—In the case of any eligible rollover distribution, the maximum amount transferred to which paragraph (1) applies shall not exceed the portion of such distribution which is includible in gross income (determined without regard to paragraph (1)).

"(3) TRANSFER MUST BE MADE WITHIN 60 DAYS OF RECEIPT.—Paragraph (1) shall not apply to any transfer of a distribution made after the 60th day following the day on which the distributee received the property distributed.

"(4) ELIGIBLE ROLLOVER DISTRIBUTION.—For purposes of this subsection, the term 'eligible rollover distribution' means any distribution to an employee of all or any portion of the balance to the credit of the employee in

a qualified trust; except that such term shall not include—

"(A) any distribution which is one of a series of substantially equal periodic payments (not less frequently than annually) made—

"(i) for the life (or life expectancy) of the employee or the joint lives (or joint life expectancies) of the employee and the employee's designated beneficiary, or

"(ii) for a specified period of 10 years or more, and

"(B) any distribution to the extent such distribution is required under section 401(a)(9).

"(5) TRANSFER TREATED AS ROLLOVER CONTRIBUTION UNDER SECTION 408.—For purposes of this title, a transfer to an eligible retirement plan described in clause (i) or (ii) of paragraph (8)(B) resulting in any portion of a distribution being excluded from gross income under paragraph (1) shall be treated as a rollover contribution described in section 408(d)(3).

"(6) SALES OF DISTRIBUTED PROPERTY.—For purposes of this subsection—

"(A) TRANSFER OF PROCEEDS FROM SALE OF DISTRIBUTED PROPERTY TREATED AS TRANSFER OF DISTRIBUTED PROPERTY.—The transfer of an amount equal to any portion of the proceeds from the sale of property received in the distribution shall be treated as the transfer of property received in the distribution.

"(B) PROCEEDS ATTRIBUTABLE TO INCREASE IN VALUE.—The excess of fair market value of property on sale over its fair market value on distribution shall be treated as property received in the distribution.

"(C) DESIGNATION WHERE AMOUNT OF DISTRIBUTION EXCEEDS ROLLOVER CONTRIBUTION.—In any case where part or all of the distribution consists of property other than money—

"(i) the portion of the money or other property which is to be treated as attributable to amounts not included in gross income, and

"(ii) the portion of the money or other property which is to be treated as included in the rollover contribution,

shall be determined on a ratable basis unless the taxpayer designates otherwise. Any designation under this subparagraph for a taxable year shall be made not later than the time prescribed by law for filing the return for such taxable year (including extensions thereof). Any such designation, once made, shall be irrevocable.

"(D) NONRECOGNITION OF GAIN OR LOSS.—No gain or loss shall be recognized on any sale described in subparagraph (A) to the extent that an amount equal to the proceeds is transferred pursuant to paragraph (1).

"(7) SPECIAL RULE FOR FROZEN DEPOSITS.—

"(A) IN GENERAL.—The 60-day period described in paragraph (3) shall not—

"(i) include any period during which the amount transferred to the employee is a frozen deposit, or

"(ii) end earlier than 10 days after such amount ceases to be a frozen deposit.

"(B) FROZEN DEPOSITS.—For purposes of this subparagraph, the term 'frozen deposit' means any deposit which may not be withdrawn because of—

"(i) the bankruptcy or insolvency of any financial institution, or

"(ii) any requirement imposed by the State in which such institution is located by reason of the bankruptcy or insolvency (or threat thereof) of 1 or more financial institutions in such State.

A deposit shall not be treated as a frozen deposit unless on at least 1 day during the 60-day period described in paragraph (3) (without regard to this paragraph) such deposit is described in the preceding sentence.

“(8) DEFINITIONS.—For purposes of this subsection—

“(A) QUALIFIED TRUST.—The term ‘qualified trust’ means an employees’ trust described in section 401(a) which is exempt from tax under section 501(a).

“(B) ELIGIBLE RETIREMENT PLAN.—The term ‘eligible retirement plan’ means—

“(i) an individual retirement account described in section 408(a),

“(ii) an individual retirement annuity described in section 408(b) (other than an endowment contract),

“(iii) a qualified trust, and

“(iv) an annuity plan described in section 403(a).

“(9) ROLLOVER WHERE SPOUSE RECEIVES DISTRIBUTION AFTER DEATH OF EMPLOYEE.—If any distribution attributable to an employee is paid to the spouse of the employee after the employee’s death, the preceding provisions of this subsection shall apply to such distribution in the same manner as if the spouse were the employee; except that a trust or plan described in clause (iii) or (iv) of paragraph (8)(B) shall not be treated as an eligible retirement plan with respect to such distribution.

“(10) DENIAL OF AVERAGING FOR SUBSEQUENT DISTRIBUTIONS.—If paragraph (1) applies to any distribution paid to any employee, paragraphs (1) and (3) of subsection (d) shall not apply to any distribution (paid after such distribution) of the balance to the credit of the employee under the plan under which the preceding distribution was made (or under any other plan which, under subsection (d)(4)(C), would be aggregated with such plan).

“(d) TAX ON LUMP SUM DISTRIBUTIONS.—

“(1) IMPOSITION OF SEPARATE TAX ON LUMP SUM DISTRIBUTIONS.—

“(A) SEPARATE TAX.—There is hereby imposed a tax (in the amount determined under subparagraph (B)) on a lump sum distribution.

“(B) AMOUNT OF TAX.—The amount of tax imposed by subparagraph (A) for any taxable year is an amount equal to 5 times the tax which would be imposed by subsection (c) of section 1 if the recipient were an individual referred to in such subsection and the taxable income were an amount equal to $\frac{1}{5}$ of the excess of—

“(i) the total taxable amount of the lump sum distribution for the taxable year, over

“(ii) the minimum distribution allowance.

“(C) MINIMUM DISTRIBUTION ALLOWANCE.—For purposes of this paragraph, the minimum distribution allowance for any taxable year is an amount equal to—

“(i) the lesser of \$10,000 or one-half of the total taxable amount of the lump sum distribution for the taxable year, reduced (but not below zero) by

“(ii) 20 percent of the amount (if any) by which such total taxable amount exceeds \$20,000.

“(D) LIABILITY FOR TAX.—The recipient shall be liable for the tax imposed by this paragraph.

“(2) DISTRIBUTIONS OF ANNUITY CONTRACTS.—

“(A) IN GENERAL.—In the case of any recipient of a lump sum distribution for any taxable year, if the distribution (or any part thereof) is an annuity contract, the total taxable amount of the distribution shall be aggregated for purposes of computing the tax imposed by paragraph (1)(A), except that the amount of tax so computed shall be reduced (but not below zero) by that portion of the tax on the aggregate total taxable amount which is attributable to annuity contracts.

“(B) BENEFICIARIES.—For purposes of this paragraph, a beneficiary of a trust to which a lump sum distribution is made shall be treated as the recipient of such distribution if the beneficiary is an employee (including

an employee within the meaning of section 401(c)(1) with respect to the plan under which the distribution is made or if the beneficiary is treated as the owner of such trust for purposes of subpart E of part I of subchapter J.

“(C) ANNUITY CONTRACTS.—For purposes of this paragraph, in the case of the distribution of an annuity contract, the taxable amount of such distribution shall be deemed to be the current actuarial value of the contract, determined on the date of such distribution.

“(D) TRUSTS.—In the case of a lump sum distribution with respect to any individual which is made only to 2 or more trusts, the tax imposed by paragraph (1)(A) shall be computed as if such distribution was made to a single trust, but the liability for such tax shall be apportioned among such trusts according to the relative amounts received by each.

“(E) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out the purposes of this paragraph.

“(3) ALLOWANCE OF DEDUCTION.—The total taxable amount of a lump sum distribution for any taxable year shall be allowed as a deduction from gross income for such taxable year, but only to the extent included in the taxpayer’s gross income for such taxable year.

“(4) DEFINITIONS AND SPECIAL RULES.—

“(A) LUMP SUM DISTRIBUTION.—For purposes of this section and section 403, the term ‘lump sum distribution’ means the distribution or payment within 1 taxable year of the recipient of the balance to the credit of an employee which becomes payable to the recipient—

“(i) on account of the employee’s death,

“(ii) after the employee attains age 59½,

“(iii) on account of the employee’s separation from the service, or

“(iv) after the employee has become disabled (within the meaning of section 72(m)(7)),

from a trust which forms a part of a plan described in section 401(a) and which is exempt from tax under section 501 or from a plan described in section 403(a). Clause (iii) of this subparagraph shall be applied only with respect to an individual who is an employee without regard to section 401(c)(1), and clause (iv) shall be applied only with respect to an employee within the meaning of section 401(c)(1). A distribution of an annuity contract from a trust or annuity plan referred to in the first sentence of this subparagraph shall be treated as a lump sum distribution. For purposes of this subparagraph, a distribution to 2 or more trusts shall be treated as a distribution to 1 recipient. For purposes of this subsection, the balance to the credit of the employee does not include the accumulated deductible employee contributions under the plan (within the meaning of section 72(o)(5)).

“(B) AVERAGING TO APPLY TO 1 LUMP SUM DISTRIBUTION AFTER AGE 59½.—Paragraph (1) shall apply to a lump sum distribution with respect to an employee under subparagraph (A) only if—

“(i) such amount is received on or after the date on which the employee has attained age 59½, and

“(ii) the taxpayer elects for the taxable year to have all such amounts received during such taxable year so treated.

Not more than 1 election may be made under this subparagraph by any taxpayer with respect to any employee. No election may be made under this subparagraph by any taxpayer other than an individual, an estate, or a trust. In the case of a lump sum distribution made with respect to an employee to 2 or more trusts, the election under this sub-

paragraph shall be made by the personal representative of the taxpayer.

“(C) AGGREGATION OF CERTAIN TRUSTS AND PLANS.—For purposes of determining the balance to the credit of an employee under subparagraph (A)—

“(i) all trusts which are part of a plan shall be treated as a single trust, all pension plans maintained by the employer shall be treated as a single plan, all profit-sharing plans maintained by the employer shall be treated as a single plan, and all stock bonus plans maintained by the employer shall be treated as a single plan, and

“(ii) trusts which are not qualified trusts under section 401(a) and annuity contracts which do not satisfy the requirements of section 404(a)(2) shall not be taken into account.

“(D) TOTAL TAXABLE AMOUNT.—For purposes of this section and section 403, the term ‘total taxable amount’ means, with respect to a lump sum distribution, the amount of such distribution which exceeds the sum of—

“(i) the amounts considered contributed by the employee (determined by applying section 72(f)), reduced by any amounts previously distributed which were not includible in gross income, and

“(ii) the net unrealized appreciation attributable to that part of the distribution which consists of the securities of the employer corporation so distributed.

“(E) COMMUNITY PROPERTY LAWS.—The provisions of this subsection, other than paragraph (3), shall be applied without regard to community property laws.

“(F) MINIMUM PERIOD OF SERVICE.—For purposes of this subsection, no amount distributed to an employee from or under a plan may be treated as a lump sum distribution under subparagraph (A) unless the employee has been a participant in the plan for 5 or more taxable years before the taxable year in which such amounts are distributed.

“(G) AMOUNTS SUBJECT TO PENALTY.—This subsection shall not apply to amounts described in subparagraph (A) of section 72(m)(5) to the extent that section 72(m)(5) applies to such amounts.

“(H) BALANCE TO CREDIT OF EMPLOYEE NOT TO INCLUDE AMOUNTS PAYABLE UNDER QUALIFIED DOMESTIC RELATIONS ORDER.—For purposes of this subsection, the balance to the credit of an employee shall not include any amount payable to an alternate payee under a qualified domestic relations order (within the meaning of section 414(p)).

“(I) TRANSFERS TO COST-OF-LIVING ARRANGEMENT NOT TREATED AS DISTRIBUTION.—For purposes of this subsection, the balance to the credit of an employee under a defined contribution plan shall not include any amount transferred from such defined contribution plan to a qualified cost-of-living arrangement (within the meaning of section 415(k)(2)) under a defined benefit plan.

“(J) LUMP SUM DISTRIBUTIONS OF ALTERNATE PAYEES.—If any distribution or payment of the balance to the credit of an employee would be treated as a lump sum distribution, then, for purposes of this subsection, the payment under a qualified domestic relations order (within the meaning of section 414(p)) of the balance to the credit of an alternate payee who is the spouse or former spouse of the employee shall be treated as a lump sum distribution. For purposes of this subparagraph, the balance to the credit of the alternate payee shall not include any amount payable to the employee.

“(K) TREATMENT OF PORTION NOT ROLLED OVER.—If any portion of a lump sum distribution is transferred in a transfer to which subsection (c) applies, paragraphs (1) and (3) shall not apply with respect to the distribution.

“(L) SECURITIES.—For purposes of this subsection, the terms ‘securities’ and ‘securities

of the employer corporation' have the respective meanings provided by subsection (e)(4)(E).

"(5) SPECIAL RULE WHERE PORTIONS OF LUMP SUM DISTRIBUTION ATTRIBUTABLE TO ROLLOVER OF BOND PURCHASED UNDER QUALIFIED BOND PURCHASE PLAN.—If any portion of a lump sum distribution is attributable to a transfer described in section 405(d)(3)(A)(ii) (as in effect before its repeal by the Tax Reform Act of 1984), paragraphs (1) and (3) of this subsection shall not apply to such portion.

"(6) TREATMENT OF POTENTIAL FUTURE VESTING.—

"(A) IN GENERAL.—For purposes of determining whether any distribution which becomes payable to the recipient on account of the employee's separation from service is a lump sum distribution, the balance to the credit of the employee shall be determined without regard to any increase in vesting which may occur if the employee is reemployed by the employer.

"(B) RECAPTURE IN CERTAIN CASES.—If—

"(i) an amount is treated as a lump sum distribution by reason of subparagraph (A),

"(ii) special lump sum treatment applies to such distribution,

"(iii) the employee is subsequently reemployed by the employer, and

"(iv) as a result of services performed after being so reemployed, there is an increase in the employee's vesting for benefits accrued before the separation referred to in subparagraph (A),

under regulations prescribed by the Secretary, the tax imposed by this chapter for the taxable year (in which the increase in vesting first occurs) shall be increased by the reduction in tax which resulted from the special lump sum treatment (and any election under paragraph (4)(B) shall not be taken into account for purposes of determining whether the employee may make another election under paragraph (4)(B)).

"(C) SPECIAL LUMP SUM TREATMENT.—For purposes of this paragraph, special lump sum treatment applies to any distribution if any portion of such distribution is taxed under the subsection by reason of an election under paragraph (4)(B).

"(D) VESTING.—For purposes of this paragraph, the term 'vesting' means the portion of the accrued benefits derived from employer contributions to which the participant has a nonforfeitable right.

"(7) COORDINATION WITH FOREIGN TAX CREDIT LIMITATIONS.—Subsections (a), (b), and (c) of section 904 shall be applied separately with respect to any lump sum distribution on which tax is imposed under paragraph (1), and the amount of such distribution shall be treated as the taxable income for purposes of such separate application.

"(e) OTHER RULES APPLICABLE TO EXEMPT TRUSTS.—

"(1) ALTERNATE PAYEES.—

"(A) ALTERNATE PAYEE TREATED AS DISTRIBUTTEE.—For purposes of subsection (a) and section 72, an alternate payee who is the spouse or former spouse of the participant shall be treated as the distributee of any distribution or payment made to the alternate payee under a qualified domestic relations order (as defined in section 414(p)).

"(B) ROLLOVERS.—If any amount is paid or distributed to an alternate payee who is the spouse or former spouse of the participant by reason of any qualified domestic relations order (within the meaning of section 414(p)), subsection (c) shall apply to such distribution in the same manner as if such alternate payee were the employee.

"(2) DISTRIBUTIONS BY UNITED STATES TO NONRESIDENT ALIENS.—The amount includible under subsection (a) in the gross income of a nonresident alien with respect to a distribution made by the United States in respect of

services performed by an employee of the United States shall not exceed an amount which bears the same ratio to the amount includible in gross income without regard to this paragraph as—

"(A) the aggregate basic pay paid by the United States to such employee for such services, reduced by the amount of such basic pay which was not includible in gross income by reason of being from sources without the United States, bears to

"(B) the aggregate basic pay paid by the United States to such employee for such services.

In the case of distributions under the civil service retirement laws, the term 'basic pay' shall have the meaning provided in section 8331(3) of title 5, United States Code.

"(3) CASH OR DEFERRED ARRANGEMENTS.—For purposes of this title, contributions made by an employer on behalf of an employee to a trust which is a part of a qualified cash or deferred arrangement (as defined in section 401(k)(2)) shall not be treated as distributed or made available to the employee nor as contributions made to the trust by the employee merely because the arrangement includes provisions under which the employee has an election whether the contribution will be made to the trust or received by the employee in cash.

"(4) NET UNREALIZED APPRECIATION.—

"(A) AMOUNTS ATTRIBUTABLE TO EMPLOYEE CONTRIBUTIONS.—For purposes of subsection (a) and section 72, in the case of a distribution other than a lump sum distribution, the amount actually distributed to any distributee from a trust described in subsection (a) shall not include any net unrealized appreciation in securities of the employer corporation attributable to amounts contributed by the employee (other than deductible employee contributions within the meaning of section 72(o)(5)). This subparagraph shall not apply to a distribution to which subsection (c) applies.

"(B) AMOUNTS ATTRIBUTABLE TO EMPLOYER CONTRIBUTIONS.—For purposes of subsection (a) and section 72, in the case of any lump sum distribution which includes securities of the employer corporation, there shall be excluded from gross income the net unrealized appreciation attributable to that part of the distribution which consists of securities of the employer corporation. In accordance with rules prescribed by the Secretary, a taxpayer may elect, on the return of tax on which a lump sum distribution is required to be included, not to have this subparagraph apply to such distribution.

"(C) DETERMINATION OF AMOUNTS AND ADJUSTMENTS.—For purposes of subparagraphs (A) and (B), net unrealized appreciation and the resulting adjustments to basis shall be determined in accordance with regulations prescribed by the Secretary.

"(D) LUMP SUM DISTRIBUTION.—For purposes of this paragraph, the term 'lump sum distribution' has the meaning given such term by subsection (d)(4)(A) (without regard to subsection (d)(4)(F)).

"(E) DEFINITIONS RELATING TO SECURITIES.—For purposes of this paragraph—

"(i) SECURITIES.—The term 'securities' means only shares of stock and bonds or debentures issued by a corporation with interest coupons or in registered form.

"(ii) SECURITIES OF THE EMPLOYER.—The term 'securities of the employer corporation' includes securities of a parent or subsidiary corporation (as defined in subsections (e) and (f) of section 424) of the employer corporation.

"(5) TAXABILITY OF BENEFICIARY OF CERTAIN FOREIGN SITUS TRUSTS.—For purposes of subsections (a), (b), and (c), a stock bonus, pension, or profit-sharing trust which would qualify for exemption from tax under section

501(a) except for the fact that it is a trust created or organized outside the United States shall be treated as if it were a trust exempt from tax under section 501(a).

"(f) WRITTEN EXPLANATION TO RECIPIENTS OF DISTRIBUTIONS ELIGIBLE FOR ROLLOVER TREATMENT.—

"(1) IN GENERAL.—The plan administrator of any plan shall, within a reasonable period of time before making an eligible rollover distribution from an eligible retirement plan, provide a written explanation to the recipient—

"(A) of the provisions under which the recipient may have the distribution directly transferred to another eligible retirement plan,

"(B) of the provision which requires the withholding of tax on the distribution if it is not directly transferred to another eligible retirement plan,

"(C) of the provisions under which the distribution will not be subject to tax if transferred to an eligible retirement plan within 60 days after the date on which the recipient received the distribution, and

"(D) if applicable, of the provisions of subsections (d) and (e) of this section.

"(2) DEFINITIONS.—For purposes of this subsection—

"(A) ELIGIBLE ROLLOVER DISTRIBUTION.—The term 'eligible rollover distribution' has the same meaning as when used in subsection (c) of this section or paragraph (4) of section 403(a).

"(B) ELIGIBLE RETIREMENT PLAN.—The term 'eligible retirement plan' has the meaning given such term by subsection (c)(8)(B)."

(b) CONFORMING AMENDMENTS.—

(1) Paragraph (1) of section 55(c) is amended by striking "section 402(e)" and inserting "section 402(d)".

(2) Paragraph (8) of section 62(a) (relating to certain portion of lump-sum distributions from pension plans taxed under section 402(e)) is amended by striking "402(e)" in the text and heading and inserting "402(d)".

(3) Paragraph (4) of section 72(o) (relating to special rule for treatment of rollover amount) is amended by striking "sections 402(a)(5), 402(a)(7)" and inserting "sections 402(c)".

(4) Paragraph (2) of section 219(d) (relating to recontribution amount) is amended by striking "section 402(a)(5), 402(a)(7)" and inserting "section 402(c)".

(5) Paragraph (20) of section 401(a) is amended—

(A) by striking "a qualified total distribution described in section 402(a)(5)(E)(i)(I)" and inserting "1 or more distributions within 1 taxable year to a distributee on account of a termination of the plan of which the trust is a part, or in the case of a profit-sharing or stock bonus plan, a complete discontinuance of contributions under such plan", and

(B) by adding at the end the following new sentence: "For purposes of this paragraph, rules similar to the rules of section 402(a)(6)(B) (as in effect before its repeal by section 211 of the Unemployment Compensation Amendments of 1992) shall apply."

(6) Clause (v) of section 401(a)(28)(B) (relating to coordination with distribution rules) is amended to read as follows:

"(v) COORDINATION WITH DISTRIBUTION RULES.—Any distribution required by this subparagraph shall not be taken into account in determining whether a subsequent distribution is a lump sum distribution under section 402(d)(4)(A) or in determining whether section 402(c)(10) applies."

(7) Subclause (IV) of section 401(k)(2)(B)(i) is amended by striking "section 402(a)(8)" and inserting "section 402(e)(3)".

(8) Subparagraph (B)(ii) of section 401(k)(10) (relating to distributions that must be lump-sum distributions) is amended—

(A) by striking "section 402(e)(4)" and inserting "section 402(d)(4)", and

(B) by striking "subparagraph (H)" and inserting "subparagraph (F)".

(9) Section 402(g)(1) is amended by striking "subsections (a)(8)" and inserting "subsections (e)(3)".

(10) Section 402(i) is amended by striking "subsection (e)(4)" and inserting "subsection (d)(4)".

(11) Subsection (j) of section 402 is amended by striking "(a)(1) or (e)(4)(J)" and inserting "(e)(4)".

(12)(A) Clause (i) of section 403(a)(4)(A) is amended by inserting "in an eligible rollover distribution (within the meaning of section 402(c)(4))" before the comma at the end thereof.

(B) Subparagraph (B) of section 403(a)(4) is amended to read as follows:

"(B) CERTAIN RULES MADE APPLICABLE.—Rules similar to the rules of paragraphs (2) through (7) of section 402(c) shall apply for purposes of subparagraph (A)."

(13)(A) Clause (i) of section 403(b)(8)(A) is amended by inserting "in an eligible rollover distribution (within the meaning of section 402(c)(4))" before the comma at the end thereof.

(B) Paragraph (8) of section 403(b) is amended by striking subparagraphs (B), (C), and (D) and inserting the following:

"(B) CERTAIN RULES MADE APPLICABLE.—Rules similar to the rules of paragraphs (2) through (7) of section 402(c) shall apply for purposes of subparagraph (A)."

(14) Section 406(c) (relating to termination of status as deemed employee not to be treated as separation from service for purposes of limitation of tax) is amended by striking "section 402(e)" and inserting "section 402(d)".

(15) Section 407(c) (relating to termination of status as deemed employee not to be treated as separation from service for purposes of limitation of tax) is amended by striking "section 402(e)" and inserting "section 402(d)".

(16) Paragraph (1) of section 408(a) is amended by striking "section 402(a)(5), 402(a)(7)" and inserting "section 402(c)".

(17) Clause (ii) of section 408(d)(3)(A) is amended to read as follows:

"(ii) no amount in the account and no part of the value of the annuity is attributable to any source other than a rollover contribution (as defined in section 402) from an employee's trust described in section 401(a) which is exempt from tax under section 501(a) or from an annuity plan described in section 403(a) (and any earnings on such contribution), and the entire amount received (including property and other money) is paid (for the benefit of such individual) into another such trust or annuity plan not later than the 60th day on which the individual receives the payment or the distribution; or".

(18) Subparagraph (B) of section 408(d)(3) (relating to limitations) is amended by striking the second sentence thereof.

(19) Subparagraph (F) of section 408(d)(3) (relating to frozen deposits) is amended by striking "section 402(a)(6)(H)" and inserting "section 402(c)(7)".

(20) Subclause (I) of section 414(n)(5)(C)(iii) is amended by striking "section 402(a)(8)" and inserting "section 402(e)(3)".

(21) Clause (i) of section 414(q)(7)(B) is amended by striking "402(a)(8)" and inserting "402(e)(3)".

(22) Paragraph (2) of section 414(s) (relating to employer may elect to treat certain deferrals as compensation) is amended by striking "402(a)(8)" and inserting "402(e)(3)".

(23) Subparagraph (A) of section 415(b)(2) (relating to annual benefit in general) is amended by striking "sections 402(a)(5)" and inserting "sections 402(c)".

(24) Subparagraph (B) of section 415(b)(2) (relating to adjustment for certain other forms of benefit) is amended by striking "sections 402(a)(5)" and inserting "sections 402(c)".

(25) Paragraph (2) of section 415(c) (relating to annual addition) is amended by striking "sections 402(a)(5)" and inserting "sections 402(c)".

(26) Subparagraph (B) of section 457(c)(2) is amended by striking "section 402(a)(8)" in clause (i) thereof and inserting "section 402(e)(3)".

(27) Section 691(c) (relating to coordination with section 402(e)) is amended by striking "402(e)" in the text and heading and inserting "402(d)".

(28) Subparagraph (B) of section 871(a)(1) (relating to income other than capital gains) is amended by striking "402(a)(2), 403(a)(2), or".

(29) Paragraph (1) of section 871(b) (relating to imposition of tax) is amended by striking "402(e)(1)" and inserting "402(d)(1)".

(30) Paragraph (1) of section 871(k) is amended by striking "section 402(a)(4)" and inserting "section 402(e)(2)".

(31) Subsection (b) of section 877 (relating to alternative tax) is amended by striking "402(e)(1)" and inserting "402(d)(1)".

(32) Subsection (b) of section 1441 (relating to income items) is amended by striking "402(a)(2), 403(a)(2), or".

(33) Paragraph (5) of section 1441(c) (relating to special items) is amended by striking "402(a)(2), 403(a)(2), or".

(34) Subparagraph (A) of section 3121(v)(1) is amended by striking "section 402(a)(8)" and inserting "section 402(e)(3)".

(35) Subparagraph (A) of section 3306(r)(1) is amended by striking "section 402(a)(8)" and inserting "section 402(e)(3)".

(36) Subsection (a) of section 3405 is amended by striking "PENSIONS, ANNUITIES, ETC.—" from the heading thereof and inserting "PERIODIC PAYMENTS.—".

(37) Subsection (b) of section 3405 (relating to nonperiodic distribution) is amended—

(A) by striking "the amount determined under paragraph (2)" from paragraph (1) thereof and inserting "an amount equal to 10 percent of such distribution"; and

(B) by striking paragraph (2) (relating to amount of withholding) and redesignating paragraph (3) as paragraph (2).

(38) Paragraph (4) of section 3405(d) (relating to qualified total distributions) is hereby repealed.

(39) Paragraph (8) of section 3405(d) (relating to maximum amounts withheld) is amended to read as follows:

"(8) MAXIMUM AMOUNT WITHHELD.—The maximum amount to be withheld under this section on any designated distribution shall not exceed the sum of the amount of money and the fair market value of other property (other than securities of the employer corporation) received in the distribution. No amount shall be required to be withheld under this section in the case of any designated distribution which consists only of securities of the employer corporation and cash (not in excess of \$200) in lieu of financial shares. For purposes of this paragraph, the term 'securities of the employer corporation' has the meaning given such term by section 402(e)(4)(E)."

(40) Subparagraph (A) of section 3405(d)(13) is amended by striking "(b)(3)" and inserting "(b)(2)".

(41) Subparagraph (A) of section 4973(b)(1) is amended by striking "sections 402(a)(5), 402(a)(7)" and inserting "sections 402(c)".

(42) Paragraph (4) of section 4980A(c) (relating to special rule where taxpayer elects income averaging) is amended by striking "section 402(e)(4)(B)" and inserting "section 402(d)(4)(B)".

(43) Subparagraph (C) of section 7701(j)(1) is amended by striking "section 402(a)(8)" and inserting "section 402(e)(3)".

(44) Section 411(d)(3) is amended by adding at the end the following new sentence: "For purposes of this paragraph, in the case of the complete discontinuance of contributions under a profit-sharing or stock bonus plan, such plan shall be treated as having terminated on the day on which the plan administrator notifies the Secretary (in accordance with regulations) of the discontinuance."

(d) MODEL EXPLANATION.—The Secretary of the Treasury or his delegate shall develop a model explanation which a plan administrator may provide to a recipient in order to meet the requirements of section 402(f) of the Internal Revenue Code of 1986.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply to distributions after December 31, 1992.

(2) SPECIAL RULE FOR PARTIAL DISTRIBUTIONS.—For purposes of section 402(a)(5)(D)(i)(II) of the Internal Revenue Code of 1986 (as in effect before the amendments made by this section), a distribution before January 1, 1993, which is made before or at the same time as a series of periodic payments shall not be treated as one of such series if it is not substantially equal in amount to other payments in such series.

SEC. 522. REQUIREMENT THAT QUALIFIED PLANS INCLUDE OPTIONAL TRUSTEE-TO-TRUSTEE TRANSFERS OF ELIGIBLE ROLLOVER DISTRIBUTIONS.

(a) OPTIONAL TRANSFERS.—

(1) QUALIFIED PLANS.—Subsection (a) of section 401 (relating to requirements for qualification) is amended by inserting after paragraph (30) the following new paragraph:

"(31) OPTIONAL DIRECT TRANSFER OF ELIGIBLE ROLLOVER DISTRIBUTIONS.—

"(A) IN GENERAL.—A trust shall not constitute a qualified trust under this section unless the plan of which such trust is a part provides that if the distributee of any eligible rollover distribution—

"(i) elects to have such distribution paid directly to an eligible retirement plan, and

"(ii) specifies the eligible retirement plan to which such distribution is to be paid (in such form and at such time as the plan administrator may prescribe),

such distribution shall be made in the form of a direct trustee-to-trustee transfer to the eligible retirement plan so specified.

"(B) LIMITATION.—Subparagraph (A) shall apply only to the extent that the eligible rollover distribution would be includible in gross income if not transferred as provided in subparagraph (A) (determined without regard to sections 402(c) and 403(a)(4)).

"(C) ELIGIBLE ROLLOVER DISTRIBUTION.—For purposes of this paragraph, the term 'eligible rollover distribution' has the meaning given such term by section 402(f)(2)(A).

"(D) ELIGIBLE RETIREMENT PLAN.—For purposes of this paragraph, the term 'eligible retirement plan' has the meaning given such term by section 402(c)(8)(B), except that a qualified trust shall be considered an eligible retirement plan only if it is a defined contribution plan, the terms of which permit the acceptance of rollover distributions."

(2) EMPLOYEE'S ANNUITIES.—Paragraph (2) of section 404(a) (relating to employee's annuities) is amended by striking "and (27)" and inserting "(27), and (31)".

(3) ANNUITIES PURCHASED BY CHARITIES AND PUBLIC SCHOOLS.—Paragraph (10) of section 403(b) (relating to distribution requirements) is amended by striking "section 401(a)(9)" and inserting "sections 401(a)(9) and 401(a)(31)".

(b) WITHHOLDING ON ELIGIBLE ROLLOVER DISTRIBUTIONS WHICH ARE NOT ROLLED OVER.—

(1) IN GENERAL.—Section 3405 (relating to special rules for pensions, annuities, and certain other deferred income) is amended by redesignating subsections (c), (d), and (e) as subsections (d), (e), and (f) and by inserting after subsection (b) the following new subsection:

“(c) ELIGIBLE ROLLOVER DISTRIBUTIONS.—

“(1) IN GENERAL.—In the case of any designated distribution which is an eligible rollover distribution—

“(A) subsections (a) and (b) shall not apply, and

“(B) the payor of such distribution shall withhold from such distribution an amount equal to 20 percent of such distribution.

“(2) EXCEPTION.—Paragraph (1)(B) shall not apply to any distribution if the distributee elects under section 401(a)(31)(A) to have such distribution paid directly to an eligible retirement plan.

“(3) ELIGIBLE ROLLOVER DISTRIBUTION.—For purposes of this subsection, the term ‘eligible rollover distribution’ has the meaning given such term by section 402(f)(2)(A) (or in the case of an annuity contract under section 403(b), a distribution from such contract described in section 402(f)(2)(A)).”

(2) CONFORMING AMENDMENTS.—

(A) Section 3405(a)(1) is amended by striking “subsection (d)(2)” and inserting “subsection (e)(2)”.

(B) Section 3405(b)(1) is amended by striking “subsection (d)(3)” and inserting “subsection (e)(3)”.

(C) Section 3405(d)(1) (as redesignated by paragraph (1)) is amended by striking “subsection (d)(1)” and inserting “subsection (e)(1)”.

(D) Sections 3402(o)(6) and 6047(d)(1) are each amended by striking “section 3405(d)(1)” and inserting “section 3405(e)(1)”.

(E) Section 6047(d)(1)(A) is amended by striking “section 3405(d)(1)” and inserting “section 3405(d)(3)”.

(F) Section 6652(h) is amended by striking “section 3405(d)(10)(B)” and inserting “section 3405(e)(10)(B)”.

(c) EXCLUSION FROM INCOME.—

(1) QUALIFIED TRUSTS.—Subsection (e) of section 402 (relating to taxability of beneficiary of employees’ trust), as amended by section 521, is amended by adding at the end the following new paragraph:

“(6) DIRECT TRUSTEE-TO-TRUSTEE TRANSFERS.—Any amount transferred in a direct trustee-to-trustee transfer in accordance with section 401(a)(31) shall not be includible in gross income for the taxable year of such transfer.”

(2) EMPLOYEE ANNUITIES.—Subsection (a) of section 403 is amended by adding at the end the following new paragraph:

“(5) DIRECT TRUSTEE-TO-TRUSTEE TRANSFER.—Any amount transferred in a direct trustee-to-trustee transfer in accordance with section 401(a)(31) shall not be includible in gross income for the taxable year of such transfer.”

(3) ANNUITY CONTRACTS PURCHASED BY CHARITIES AND PUBLIC SCHOOLS.—Section 403(b)(10) is amended by adding at the end the following new sentence: “Any amount transferred in an direct trustee-to-trustee transfer in accordance with section 401(a)(31) shall not be includible in gross income for the taxable year of the transfer.”

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to distributions after December 31, 1992.

(2) TRANSITION RULE FOR CERTAIN ANNUITY CONTRACTS.—If, as of July 1, 1992, a State law prohibits a direct trustee-to-trustee transfer from an annuity contract described in section 403(b) of the Internal Revenue Code of 1986 which was purchased for an employee by an employer which is a State or a political

subdivision thereof (or an agency or instrumentality of any 1 or more of either), the amendments made by this section shall not apply to distributions before the earlier of—

(A) 90 days after the first day after July 1, 1992, on which such transfer is allowed under State law, or

(B) January 1, 1994.

SEC. 523. DATE FOR ADOPTION OF PLAN AMENDMENTS.

If any amendment made by this subtitle requires an amendment to any plan, such plan amendment shall not be required to be made before the first plan year beginning on or after January 1, 1994, if—

(1) during the period after such amendment takes effect and before such first plan year, the plan is operated in accordance with the requirements of such amendment, and

(2) such plan amendment applies retroactively to such period.

Subtitle C—Other Provisions

SEC. 531. MODIFICATIONS TO FEDERAL UNEMPLOYMENT ACCOUNTS.

(a) MODIFICATIONS TO EXTENDED UNEMPLOYMENT COMPENSATION ACCOUNT.—

(1) TRANSFERS TO ACCOUNT.—Paragraph (1) of section 905(b) of the Social Security Act is amended to read as follows—

“(b)(1) Except as provided in paragraph (3), the Secretary of the Treasury shall transfer (as of the close of each month), from the employment security administration account to the extended unemployment compensation account established by subsection (a), an amount determined by him to be equal to the sum of—

“(A) 100 percent of the transfers to the employment security administration account pursuant to section 901(b)(2) during such month on account of liabilities referred to in section 901(b)(1)(B), plus

“(B) 20 percent of the excess of the transfers to such account pursuant to section 901(b)(2) during such month on account of amounts referred to in section 901(b)(1)(A) over the payments during such month from the employment security administration account pursuant to section 901(b)(3) and (d).

If for any such month the payments referred to in subparagraph (B) exceed the transfers referred to in subparagraph (B), proper adjustments shall be made in the amounts subsequently transferred.”

(2) INCREASE IN CEILING.—Subparagraph (B) of section 905(b)(2) of such Act is amended by striking “three-eighths of 1 percent” and inserting “0.5 percent”.

(b) REDUCTION OF CEILING ON FEDERAL UNEMPLOYMENT ACCOUNT.—Paragraph (2) of section 902(a) of such Act is amended by striking “five-eighths of 1 percent” and inserting “0.25 percent”.

(c) BORROWING BETWEEN FEDERAL ACCOUNTS.—Title IX of such Act is amended by adding at the end the following new section:

“BORROWING BETWEEN FEDERAL ACCOUNTS

“SEC. 910. (a) IN GENERAL.—Whenever the Secretary of the Treasury (after consultation with the Secretary of Labor) determines that—

“(1) the amount in the employment security administration account, Federal unemployment account, or extended unemployment compensation account, is insufficient to meet the anticipated payments from the account,

“(2) such insufficiency may cause such account to borrow from the general fund of the Treasury, and

“(3) the amount in any other such account exceeds the amount necessary to meet the anticipated payments from such other account,

the Secretary shall transfer to the account referred to in paragraph (1) from the account referred to in paragraph (3) an amount equal to

the insufficiency determined under paragraph (1) (or, if less, the excess determined under paragraph (3)).

“(b) TREATMENT OF ADVANCE.—Any amount transferred under subsection (a)—

“(1) shall be treated as a noninterest-bearing repayable advance, and

“(2) shall not be considered in computing the amount in any account for purposes of the application of sections 901(f)(2), 902(b), and 905(b).

“(c) REPAYMENT.—Whenever the Secretary of the Treasury (after consultation with the Secretary of Labor) determines that the amount in the account to which an advance is made under subsection (a) exceeds the amount necessary to meet the anticipated payments from the account, the Secretary shall transfer from the account to the account from which the advance was made an amount equal to the lesser of the amount so advanced or such excess.”

(d) REPEAL OF EXPIRED PROVISIONS.—

(1) Paragraph (2) of section 901(f) of such Act is amended—

(A) by striking “(A) Except as provided in subparagraph (B), the” and inserting “The”, and

(B) by striking subparagraph (B).

(2) Section 901 of such Act is amended by striking subsection (g).

(3) Subsection (g) of section 904 is amended by striking all of such subsection that follows the 1st sentence.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) CHANGES IN CEILING AMOUNTS.—The amendments made by subsection (a)(2) and (b) shall apply to fiscal years beginning after September 30, 1993.

SEC. 532. REQUIREMENT OF DEPOSITS BY FEDERAL AGENCIES FOR UNEMPLOYMENT BENEFITS.

(a) GENERAL RULE.—Subsection (c) of section 8509 of title 5, United States Code, is amended by adding at the end thereof the following new paragraph:

“(3) If any Federal agency does not deposit in the Federal Employees Compensation Account any amount before the date 30 days after the date on which the Secretary of Labor has notified such agency that it is required to so deposit such amount, the Secretary of Labor shall notify the Secretary of the Treasury of the failure to make such deposit and the Secretary of the Treasury shall transfer such amount to the Federal Employees Compensation Account from amounts otherwise appropriated to such Federal agency.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to failures outstanding on the date of the enactment of this Act or at any time thereafter.

SEC. 533. REPORT ON ALLOCATION OF ADMINISTRATIVE FUNDS.

Subsection (a) of section 304 of the Emergency Unemployment Compensation Act of 1991 (Public Law 102-164, as amended) is amended by striking “within the 12-month period beginning on the date of the enactment of this Act” and inserting “before December 31, 1994”.

SEC. 534. EXTENSION OF COMMISSION ON INTER-STATE CHILD SUPPORT.

(a) IN GENERAL.—Section 126 of the Family Support Act of 1988 (42 U.S.C. 666 note; 102 Stat. 2355) is amended—

(1) in subsection (d)(2), by striking “May” and inserting “August”; and

(2) in subsection (f)(1), by striking “July 1” and inserting “September 30”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on June 30, 1992.

And the Senate agree to the same.
From the Committee on Ways and Means, for consideration of the House bill, and the Senate amendment, and modifications committed to conference:

DAN ROSTENKOWSKI,
HAROLD FORD,
THOMAS J. DOWNEY,
BARBARA B. KENNELLY,
MICHAEL A. ANDREWS,
GUY VANDER JAGT,
E. CLAY SHAW, Jr.,

As additional conferees from the Committee on Energy and Commerce, for consideration of section 105 of the House bill, and section 104 of the Senate amendment, and modification committed to conference:

JOHN D. DINGELL,
AL SWIFT,
DENNIS E. ECKART,
JIM SLATTERY,
GERRY SIKORSKI,
NORMAN F. LENT,
DON RITTER,
MATTHEW J. RINALDO,

As additional conferees, from the Committee on Government Operations, for consideration of title VI of the House bill, and modifications committed to conference:

JOHN CONYERS,
BARBARA BOXER,
TOM LANTOS,
BOB WISE,
MIKE SYNAR,

Managers on the Part of the House.

LLOYD BENTSEN,
DANIEL PATRICK MOYNIHAN,
MAX BAUCUS,
BOB PACKWOOD,
BOB DOLE,

Managers on the Part of the Senate.

When said conference report was considered.

After debate,

On motion of Mr. ROSTENKOWSKI, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. LANCASTER, announced that the yeas had it.

Mr. ROSTENKOWSKI demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 396
affirmative { Nays 23

§82.20 [Roll No. 267]
YEAS—396

Abercrombie	Bereuter	Callahan
Ackerman	Berman	Camp
Alexander	Bevill	Campbell (CA)
Anderson	Bilbray	Cardin
Andrews (ME)	Billirakis	Carper
Andrews (NJ)	Blackwell	Carr
Andrews (TX)	Bliley	Chandler
Annuizio	Boehlert	Chapman
Anthony	Boehner	Clay
Applegate	Borski	Clement
Aspin	Boucher	Clinger
Atkins	Boxer	Coleman (MO)
AuCoin	Brewster	Collins (MI)
Bacchus	Brooks	Condit
Baker	Browder	Conyers
Ballenger	Brown	Cooper
Barrett	Bruce	Costello
Beilenson	Bryant	Coughlin
Bennett	Bunning	Cox (CA)
Bentley	Byron	Cox (IL)

Coyne	Johnson (CT)	Pallone
Cramer	Johnson (SD)	Panetta
Cunningham	Johnson (TX)	Parker
Darden	Johnston	Pastor
Davis	Jones (GA)	Patterson
de la Garza	Jones (NC)	Paxon
DeFazio	Jontz	Payne (NJ)
DeLauro	Kanjorski	Payne (VA)
Dellums	Kaptur	Pease
Derrick	Kasich	Pelosi
Dickinson	Kennedy	Penny
Dicks	Kennelly	Perkins
Dingell	Kildee	Peterson (FL)
Dixon	Klecza	Peterson (MN)
Donnelly	Klug	Petri
Dooley	Kolbe	Pickett
Dorgan (ND)	Kolter	Pickle
Dornan (CA)	Kopetski	Porter
Downey	Kostmayer	Poshard
Durbin	Kyl	Price
Dwyer	LaFalce	Pursell
Early	Lagomarsino	Quillen
Eckart	Lancaster	Rahall
Edwards (OK)	Lantos	Ramstad
Edwards (TX)	LaRocco	Rangel
Emerson	Laughlin	Ravenel
Engel	Leach	Ray
English	Lehman (CA)	Reed
Erdreich	Lehman (FL)	Regula
Espy	Lent	Rhodes
Evans	Levin (MI)	Richardson
Ewing	Levine (CA)	Ridge
Fascell	Lewis (CA)	Riggs
Fawell	Lewis (FL)	Rinaldo
Fazio	Lewis (GA)	Ritter
Feighan	Lightfoot	Roberts
Fields	Lipinski	Roe
Fish	Livingston	Roemer
Flake	Lloyd	Rogers
Foglietta	Lowery (CA)	Rohrabacher
Ford (MI)	Lowey (NY)	Ros-Lehtinen
Ford (TN)	Luken	Rose
Frank (MA)	Machtley	Rostenkowski
Franks (CT)	Manton	Roth
Frost	Markey	Roukema
Gallegly	Marlenee	Rowland
Gallo	Martin	Roybal
Gaydos	Martinez	Russo
Gejdenson	Matsui	Sabo
Gekas	Mavroules	Sanders
Gephardt	Mazzoli	Sangmeister
Geren	McCandless	Santorium
Gibbons	McCloskey	Sarpalius
Gilchrest	McCollum	Savage
Gillmor	McCrery	Sawyer
Gilman	McCurdy	Saxton
Gingrich	McDade	Schaefer
Glickman	McDermott	Scheuer
Gonzalez	McEwen	Schiff
Goodling	McGrath	Schroeder
Gordon	McHugh	Schulze
Goss	McMillan (NC)	Schumer
Gradison	McMillen (MD)	Sensenbrenner
Grandy	McNulty	Serrano
Green	Meyers	Sharp
Guarini	Mfume	Shaw
Gunderson	Michel	Shays
Hall (OH)	Miller (CA)	Shuster
Hall (TX)	Miller (OH)	Sikorski
Hamilton	Miller (WA)	Sisisky
Hancock	Mineta	Skaggs
Harris	Mink	Skeen
Hastert	Moakley	Skelton
Hatcher	Molinari	Slattery
Hayes (IL)	Mollohan	Slaughter
Hayes (LA)	Montgomery	Smith (IA)
Hefley	Moody	Smith (NJ)
Henry	Moorhead	Smith (OR)
Herger	Moran	Smith (TX)
Hertel	Morella	Snowe
Hoagland	Morrison	Solarz
Hobson	Mrazek	Solomon
Hochbrueckner	Murphy	Spence
Holloway	Murtha	Spratt
Horn	Myers	Staggers
Horton	Nagle	Stallings
Houghton	Natcher	Stark
Hoyer	Neal (MA)	Stearns
Hubbard	Neal (NC)	Stenholm
Huckaby	Nowak	Stokes
Hughes	Oakar	Studds
Hunter	Oberstar	Sundquist
Hutto	Obey	Swett
Hyde	Olin	Swift
Inhofe	Olver	Synar
Ireland	Ortiz	Tallon
Jacobs	Orton	Tanner
James	Owens (NY)	Tauzin
Jefferson	Owens (UT)	Taylor (MS)
Jenkins	Oxley	Taylor (NC)

Thomas (CA)	Vucanovich	Wilson
Thomas (WY)	Walker	Wise
Thornton	Walsh	Wolf
Torres	Washington	Wolpe
Torricelli	Waters	Wyden
Towns	Waxman	Wyllie
Trafficant	Weber	Yates
Unsoeld	Weiss	Yatron
Upton	Weldon	Young (AK)
Vento	Wheat	Young (FL)
Visclosky	Whitten	Zeliff
Volkmer	Williams	Zimmer

NAYS—23

Allard	Crane	Hopkins
Allen	Dannemeyer	Long
Archer	DeLay	Nichols
Armey	Doolittle	Nussle
Barton	Dreier	Packard
Burton	Duncan	Stump
Coble	Hammerschmidt	Valentine
Combest	Hansen	

NOT VOTING—15

Barnard	Campbell (CO)	Hefner
Bateman	Coleman (TX)	Smith (FL)
Bonior	Collins (IL)	Thomas (GA)
Broomfield	Dymally	Traxler
Bustamante	Edwards (CA)	Vander Jagt

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered. That the Clerk notify the Senate thereof.

§82.21 REVENUE ACT OF 1992

Mr. ROSTENKOWSKI moved to suspend the rules and pass the bill (H.R. 11) to amend the Internal Revenue Code of 1986 to provide tax incentives for the establishment of tax enterprise zones, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. LANCASTER, recognized Mr. ROSTENKOWSKI and Mr. ARCHER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. LANCASTER, announced that two-thirds of the Members present had voted in the affirmative.

Mr. ROSTENKOWSKI demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 356
affirmative { Nays 55
Answered present 1

§82.22 [Roll No. 268]
YEAS—356

Abercrombie	Baker	Boehner
Alexander	Ballenger	Borski
Allard	Barrett	Boucher
Allen	Barton	Boxer
Anderson	Bateman	Brewster
Andrews (ME)	Bennett	Browder
Andrews (NJ)	Bentley	Brown
Andrews (TX)	Bereuter	Bruce
Anthony	Berman	Bryant
Applegate	Bevill	Bunning
Archer	Bilbray	Byron
Armey	Billirakis	Callahan
Aspin	Blackwell	Camp
AuCoin	Bliley	Cardin
Bacchus	Boehlert	Carper

Chandler Hubbard
Chapman Huckaby
Clement Hughes
Clinger Hunter
Coble Hutto
Coleman (MO) Hyde
Combost Inhofe
Condit Ireland
Conyers Jacobs
Cooper James
Costello Jefferson
Coughlin Jenkins
Cox (CA) Johnson (CT)
Cox (IL) Johnson (SD)
Coyne Johnson (TX)
Cramer Johnston
Crane Jones (GA)
Cunningham Jones (NC)
Dannemeyer Kaptur
Darden Kasich
Davis Kennedy
de la Garza Kennelly
DeLauro Kildee
DeLay Kleczka
Dellums Klug
Derrick Kolbe
Dickinson Kopetski
Dicks Kyl
Dixon Lagomarsino
Donnelly Lancaster
Dooley Lantos
Doolittle LaRocco
Dorgan (ND) Laughlin
Dornan (CA) Leach
Downey Lehman (CA)
Dreier Lent
Duncan Levin (MI)
Durbin Levine (CA)
Eckart Lewis (CA)
Edwards (OK) Lewis (GA)
Edwards (TX) Lightfoot
Emerson Lipinski
Engel Livingston
English Lloyd
Erdreich Lowery (CA)
Espy Lowey (NY)
Ewing Luken
Fascell Machtley
Fawell Manton
Fazio Marlenee
Feighan Martin
Fields Matsui
Fish Mavroules
Flake Mazzoli
Foglietta McCandless
Ford (TN) McCloskey
Franks (CT) McCollum
Frost McCreery
Gallegly McDade
Gallo McDermott
Gaydos McGrath
Gejdenson McMillan (NC)
Gekas McMillen (MD)
Gephardt McNulty
Geren Meyers
Gibbons Mfume
Gilchrest Michel
Gillmor Miller (CA)
Gilman Miller (OH)
Gingrich Miller (WA)
Glickman Mink
Goodling Moakley
Gordon Molinari
Goss Montgomery
Gradison Moody
Grandy Moorhead
Green Moran
Guarini Morella
Gunderson Morrison
Hall (OH) Murtha
Hamilton Nagle
Hammerschmidt Natcher
Hancock Neal (MA)
Hansen Neal (NC)
Harris Nichols
Hastert Nowak
Hatcher Nussle
Hayes (LA) Oakar
Hefley Oliver
Henry Ortiz
Herger Orton
Hoagland Owens (UT)
Hobson Oxley
Hochbrueckner Packard
Holloway Pallone
Hopkins Parker
Horn Pastor
Horton Patterson
Houghton Paxon
Hoyer Payne (NJ)

Payne (VA)
Pease
Pelosi
Perkins
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Porter
Poshard
Price
Pursell
Quillen
Ramstad
Rangel
Ravenel
Ray
Reed
Regula
Rhodes
Richardson
Ridge
Riggs
Rinaldo
Ritter
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal
Russo
Sabo
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schiff
Schulze
Schumer
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shuster
Sikorski
Sisisky
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solarz
Spence
Spratt
Staggers
Stallings
Stark
Stearns
Stokes
Studds
Stump
Sundquist
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (NC)
Thomas (CA)
Thomas (WY)
Thornton
Torres
Torricelli
Towns
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Waters
Waxman
Weber
Weldon

Wheat
Whitten
Wolf
Wolpe
Wyden
Wylie
Yatron
Young (AK)
NAYS—55

Ackerman Jontz
Annunzio Kanjorski
Atkins Kostmayer
Beilenson LaFalce
Brooks Lewis (FL)
Burton Long
Campbell (CA) McCurdy
Carr McHugh
Clay Mineta
DeFazio Mollohan
Dingell Murphy
Early Myers
Evans Oberstar
Ford (MI) Obey
Frank (MA) Olin
Gonzalez Owens (NY)
Hall (TX) Panetta
Hayes (IL) Penny
Hertel Petri

ANSWERED "PRESENT"—1

Martinez

NOT VOTING—22

Barnard Dwyer
Bonior Dymally
Broomfield Edwards (CA)
Bustamante Hefner
Campbell (CO) Kolter
Coleman (TX) Lehman (FL)
Collins (IL) Markey
Collins (MI) McEwen

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

§82.23 WAIVING POINTS OF ORDER AGAINST H.R. 5517

Mr. BEILENSEN, by direction of the Committee on Rules, reported (Rept. No. 102-651) the resolution (H. Res. 509) waiving certain points of order against and during consideration of the bill (H.R. 5517) making appropriations for the Government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1993, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

§82.24 PROVIDING FOR THE CONSIDERATION OF H.R. 5100

Mr. BEILENSEN, by direction of the Committee on Rules, reported (Rept. No. 102-652) the resolution (H. Res. 510) providing for the consideration of the bill (H.R. 5100) to strengthen the international trade position of the United States.

When said resolution and report were referred to the House Calendar and ordered printed.

§82.25 WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 5260

Mr. BEILENSEN, by direction of the Committee on Rules, reported (Rept. No. 102-653) the resolution (H. Res. 511)

Young (FL)
Zeliff
Zimmer

waiving certain points of order against the conference report on the bill (H.R. 5260) to extend the emergency unemployment compensation program, to revise the trigger provisions contained in the extended unemployment program, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

§82.26 PRIVATE CALENDAR BUSINESS DISPENSED WITH

On motion of Mr. HOYER, by unanimous consent,

Ordered, That business in order on Tuesday, July 7, 1992, under clause 6, rule XXIV, the Private Calendar rule, be dispensed with.

§82.27 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. HOYER, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, July 8, 1992, under clause 7, rule XXIV, the Calendar Wednesday rule, be dispensed with.

§82.28 U.S. SENATE PAGES' RESIDENCE

On motion of Mr. KILDEE, by unanimous consent, the bill of the Senate (S. 2938) to authorize the Architect of the Capitol to acquire certain property; was taken from the Speaker's table.

When said bill was considered and read twice.

Mr. KILDEE submitted the following amendment which was agreed to:

Beginning on page 4, strike line 15 and all that follows through page 5, line 6.

The bill, as amended, was ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

§82.29 MESSAGE FROM THE PRESIDENT—HEALTH CARE LIABILITY REFORM

The SPEAKER pro tempore, Mr. OWENS of New York, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

I am pleased to transmit today for your immediate consideration and enactment the "Health Care Liability Reform and Quality of Care Improvement Act of 1992." Also transmitted is a section-by-section analysis.

This legislative proposal would assist in stemming the rising costs of health care caused by medical professional liability. During recent years, the costs of defensive medical practice and of litigation related to health care disputes have had a substantial impact on the affordability and availability of quality medical care. The bill attacks these very serious problems.

The bill would establish incentives for States to adopt within 3 years qual-

ity assurance measures and tort reforms. In addition, the health care reforms would apply to medical care and treatment funded through specific Federal programs pertaining to health care and employee benefits and to claims under the Federal Tort Claims Act. The tort reforms include: (1) a reasonable cap on noneconomic damages; (2) the elimination of joint and several liability for those damages; (3) prohibiting double recoveries by plaintiffs; and (4) permitting health care providers to pay damages for future costs periodically rather than in a lump sum.

Last year I recommended enactment of the "Health Care Liability Reform and Quality of Care Improvement Act of 1991." The enclosed bill includes the core provisions of that bill and expands its scope to ensure that treatment under federally funded health care and Federal employee benefit programs is subject to key reforms regardless of State action. Claims arising from such health care would first be considered through a fair system of nonbinding arbitration, in an effort to resolve the claims without litigation.

I urge the prompt and favorable consideration of this proposal, which would complement the other initiatives the Administration is undertaking regarding malpractice and quality of care.

GEORGE BUSH.

THE WHITE HOUSE, July 2, 1992.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on the Judiciary and the Committee on Energy and Commerce and ordered to be printed (H. Doc. 102-355).

§82.30 MESSAGE FROM THE PRESIDENT—
NUCLEAR NON-PROLIFERATION

The SPEAKER pro tempore, Mr. OWENS of New York, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

I have reviewed the activities of the United States Government departments and agencies during calendar year 1991 related to preventing nuclear proliferation, and I am pleased to submit my annual report pursuant to section 601(a) of the Nuclear Non-Proliferation Act of 1978 (Public Law 95-242, 22 U.S.C. 3281(a)).

As the report demonstrates, the United States continued its efforts during 1991 to prevent the spread of nuclear explosives to additional countries, one of my highest priorities. The events of the past year in Iraq and elsewhere underline the importance of these efforts to preserving our national security, by reducing the risk of war and increasing international stability. I am determined to build on the achievements discussed in this report and to work with the Congress toward our common goal: a safer and more secure future for all humankind.

GEORGE BUSH.

THE WHITE HOUSE, July 2, 1992.

By unanimous consent, the message, together with the accompanying pa-

pers, was referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 102-354).

§82.31 FURTHER MESSAGE FROM THE
SENATE

A further message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a concurrent resolution of the House of the following title:

H. Con. Res. 343. Concurrent resolution providing for an adjournment of the House from July 2 until July 7, 1992, an adjournment of the House from July 9 until July 21, 1992, and an adjournment or recess of the Senate from July 2 until July 20, 1992.

§82.32 PROVIDING FOR THE
ADJOURNMENT OF THE TWO HOUSES

The SPEAKER pro tempore, Mr. OWENS of New York, by unanimous consent, laid before the House the concurrent resolution (H. Con. Res. 343) providing for an adjournment of the House from July 2 until July 7, 1992, and adjournment of the House from July 9 until July 21, 1992, and an adjournment or recess of the Senate from July 2 until July 20, 1992; with the following amendments of the Senate:

Page 1, line 11, after "1992," insert "or Friday, July 3, 1992."

Amend the title so as to read: "Concurrent resolution providing for an adjournment of the House from July 2 until July 7, 1992, an adjournment of the House from July 9 until July 21, 1992, and an adjournment or recess of the Senate from July 2 or July 3 until July 20, 1992."

When said amendments were considered and agreed to.

A motion to reconsider the vote whereby said amendments of the Senate were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

§82.33 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1598. An Act to continue the authorization of appropriations for the East Coast of the National Museum of Natural History; jointly, to the Committees on House Administration and Public Works and Transportation.

S. 2827. An Act to amend the John F. Kennedy Center Act (20 U.S.C. 76h et seq.) to provide authorization of appropriations for fiscal years 1993 through 1997 for the John F. Kennedy Center for the Performing Arts, and for other purposes; to the Committee on Public Works and Transportation.

§82.34 SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2780. An Act to amend the Food Security Act of 1985 to remove certain easement requirements under the conservation reserve program, and for other purposes.

§82.35 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mrs. COLLINS of Illinois, for today.

And then,

§82.36 ADJOURNMENT

On motion of Mr. MAZZOLI, pursuant to the provisions of House Concurrent Resolution 343, at 5 o'clock and 55 minutes p.m., the House adjourned until 12 o'clock noon on Tuesday, July 7, 1992.

§82.37 REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROSE: Committee on House Administration. H.R. 5269. A bill to add to the area in which the Capitol police have law enforcement authority, and for other purposes; with an amendment (Rept. No. 102-648). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 4706. A bill to amend the Consumer Product Safety Act to extend the authorization of appropriations under that Act, and for other purposes; with an amendment (Rept. No. 102-649). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROSTENKOWSKI: Committee of Conference. Conference report on H.R. 5260 (Rept. No. 102-650). Ordered to be printed.

Mr. WHEAT: Committee on Rules. House Resolution 509. Resolution waiving certain points of order against and during consideration of the bill (H.R. 5517) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1993, and for other purposes (Rept. No. 102-651). Referred to the House Calendar.

Mr. DERRICK: Committee on Rules. H. Res. 5100. Resolution providing for the consideration of the bill (H.R. 5100) to strengthen the international trade position of the United States. (Rept. No. 102-652). Referred to the House Calendar.

Mr. DERRICK: Committee on Rules. H. Res. 511. Resolution waiving points of order against the conference report on the bill (H.R. 5260) to extend the emergency unemployment compensation program, to revise the trigger provisions contained in the extended unemployment program, and for other purposes (Rept. No. 102-653). Referred to the House Calendar.

Mr. BROWN: Committee on Science, Space, and Technology. H.R. 4400. A bill to provide the Administrator of the Small Business Administration continued authority to administer the Small Business Innovation Research Program, and for other purposes; with an amendment (Rept. No. 102-554, Pt. 2). Ordered to be printed.

Mr. ASPIN: Committee on Armed Services. H.R. 4547. A bill to authorize supplemental assistance for the former Soviet republics; with amendments (Report No. 102-569, Pt. 3). Ordered to be printed.

Mr. DE LA GARZA: Committee on Agriculture. H.R. 4547. A bill to authorize supplemental assistance for the former Soviet republics, with amendments (Rept. No. 102-569, Pt. 4). Referred to the Committee of the Whole House on the State of the Union.

§82.38 SUBSEQUENT ACTION ON A
REPORTED BILL SEQUENTIALLY
REFERRED

Under clause 5 of rule X the following action was taken by the Speaker:

H.R. 2407. Referral to the Committee on the Judiciary extended for a period ending not later than July 22, 1992.

H.R. 4400. The Committee on Foreign Affairs discharged from further consideration of H.R. 4400.

H.R. 4400. Referral to the Committee on Armed Services extended for a period ending not later than July 7, 1992.

H.R. 4547. The Committees on Banking, Finance and Urban Affairs and Science, Space, and Technology discharged from further consideration of H.R. 4547.

182.39 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BERMAN:

H.R. 5534. A bill to authorize the Secretary of the Interior to enter into a cooperative agreement with the William O. Douglas Outdoor Classroom; to the Committee on Interior and Insular Affairs.

By Mr. TORRES:

H.R. 5535. A bill to amend the Small Business Act to establish a Small Business Health Insurance Advisory Council and to provide for the establishment by small business development centers of health insurance information, counseling, and technical assistance programs, and for other purposes; to the Committee on Small Business.

H.R. 5536. A bill to amend the Internal Revenue Code of 1986 to allow a full, permanent deduction for the health insurance costs of self-employed individuals and to allow a refundable credit for certain health plan costs of small employers; to the Committee on Ways and Means.

By Mr. ACKERMAN:

H.R. 5537. A bill to amend title IV of the Employee Retirement Income Security Act of 1974 to include among pension plans covered under such title pension plans established and maintained by State or local governments for volunteer firefighters; to the Committee on Education and Labor.

By Mr. ANNUNZIO (for himself, Mr.

WYLIE, Mr. BARNARD, Mr. LAROCO, Mr. RIGGS, Mr. CAMPBELL of Colorado, Mr. HAYES of Illinois, Mr. ZELIFF, Mr. HOCHBRUECKNER, and Mr. BEREUTER);

H.R. 5538. A bill to amend the Federal Deposit Insurance Act to improve the collection of restitution awarded in cases of banking law violations, and for other purposes; jointly, to the Committees on Banking, Finance and Urban Affairs and the Judiciary.

By Mr. BEREUTER (for himself, Mr.

ERDREICH, Mr. WYLIE, Mr. HUBBARD, Mr. BARNARD, Mr. MORAN, Mr. MCCOLLUM, Mr. ROTH, Mr. MCCANDLESS, Mr. BAKER, Mr. GILLMOR, Mr. HANCOCK, Mr. RIGGS, Mr. NUSSLE, Mr. BARRETT, and Mr. FIELDS);

H.R. 5539. A bill to increase the amount of credit available to fuel local, regional, and national economic growth by reducing the regulatory burden imposed upon depository institutions and for other purposes; jointly, to the Committees on Banking, Finance and Urban Affairs and Energy and Commerce.

By Mr. DELLUMS (for himself and Ms. NORTON):

H.R. 5540. A bill to waive the period of congressional review for certain District of Columbia acts; to the Committee on the District of Columbia.

By Mr. DOOLITTLE (for himself, Mr. HERGER, and Mr. GUNDERSON):

H.R. 5541. A bill to require the Federal Communications Commission to amend the program exclusivity and nonduplication rules relating to cable television system blackouts to permit carriage of network programming from broadcasts within the same State; to the Committee on Energy and Commerce.

By Mr. HASTERT (for himself, Mr. COMBEST, Mr. DELAY, and Mr. EWING):

H.R. 5542. A bill to institute accountability in the Federal regulatory process, establish a program for systematic selection of regulatory priorities, and for other purposes; to the Committee on the Judiciary.

By Mr. HORTON (for himself, Mr. GILMAN, Mr. MANTON, Mr. RANGEL, Mr. SCHEUER, Mr. TOWNS, Mr. SCHUMER, Mr. ENGEL, Mr. DOWNEY, Mr. ACKERMAN, Mr. McNULTY, Mr. FISH, Mr. SOLARZ, Mr. WALSH, Mr. PAXON, Mr. OWENS of New York, Mr. MRAZEK, Mr. LENT, Mr. SOLOMON, Mr. MARTIN, Mrs. LOWEY of New York, Mr. LAFALCE, Mr. HOCHBRUECKNER, Mr. McGRATH, Mr. NOWAK, Mr. BOEHLERT, Mr. MCHUGH, Ms. MOLINARI, Mr. WEISS, Mr. GREEN of New York, Mr. FLAKE, Mr. SERRANO, Mr. HOUGHTON, and Ms. SLAUGHTER):

H.R. 5543. A bill to amend title 38, United States Code, to provide that future increases in the monthly amount paid by the State of New York to blind disabled veterans shall be excluded from the determination of annual income for purposes of the payment of pension by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. McMILLAN of North Carolina (for himself and Mr. WYLIE):

H.R. 5544. A bill to prohibit the Resolution Trust Corporation from delaying the closing of any savings association because of a lack of appropriated funds and to authorize the Corporation to issue notes to depositors of closed savings associations for the amount of unpaid insured deposits; to the Committee on Banking, Finance and Urban Affairs.

By Mr. MORAN (for himself, Mr. LEWIS

of California, Mr. BARNARD, Mr. GORDON, Mr. GIBBONS, Mr. STENHOLM, Mr. CARPER, Mr. WHEAT, Mr. KENNEDY, Mr. LEACH, Mr. JENKINS, Mr. COSTELLO, Mr. MYERS of Indiana, Mr. BROOMFIELD, Mr. HYDE, Mr. HERGER, Mr. CAMPBELL of California, Mr. ROBERTS, Mr. McEWEN, Mr. HORTON, Mr. ESPY, Mr. CONDIT, Mr. HARRIS, Mr. ERDREICH, Mr. SISISKY, Mr. JACOBS, Mr. GUARINI, Mr. PANETTA, Mr. DONNELLY, Mr. LAUGHLIN, Mr. DARDEN, Mr. SLATTERY, Mr. TANNER, Mr. LUKEN, Mr. McCRERY, Mr. RAMSTAD, Mr. THOMAS of Wyoming, Mr. SANGMEISTER, Mr. TRAFICANT, Mr. ALLARD, Mr. SCHIFF, Mr. BROWDER, Mr. LAFALCE, Mr. MCCANDLESS, Mr. CRAMER, Mr. HUBBARD, Mr. ORTON, Mr. MANTON, Mr. DWYER of New Jersey, Mr. RAY, Mr. ORTIZ, Mr. CLEMENT, Mr. KANJORSKI, Mr. PARKER, Mr. BOUCHER, Mr. RAHALL, Mr. BREWSTER, Mr. MURPHY, Mr. PAYNE of Virginia, Mr. PENNY, Mr. WILSON, Mr. POSHARD, Mr. STAGGERS, Mr. EWING, Mr. ANDREWS of New Jersey, Mr. GEREN of Texas, Mr. LIPINSKI, Mr. THOMAS of Georgia, Mr. PASTOR, Mr. SARPALIUS, Ms. HORN, Mr. SKEEN, Mr. DOOLEY, Mr. BRYANT, Mr. BLILEY, Mr. WISE, Mr. ROWLAND, Mr. STALLINGS, Mr. OLIN, Mr. HOCHBRUECKNER, and Mr. JOHNSTON of Florida):

H.R. 5545. A bill to improve Federal decisionmaking by requiring a thorough evaluation of the economic impact of Federal legislative and regulatory requirements on State and local governments and the economic resources located therein; jointly, to the Committees on Rules and the Judiciary.

By Ms. PELOSI (for herself, Mrs. BOXER, Mr. DELLUMS, Mr. EDWARDS of California, Mr. FAZIO, Mr. LANTOS, Mr. MILLER of California, Mr. MINETA, and Mr. STARK):

H.R. 5546. A bill to amend the Federal Water Pollution Control Act to provide for implementation of a management plan for the San Francisco Bay-Delta Estuary, and for other purposes; jointly, to the Committees on Public Works and Transportation and Merchant Marine and Fisheries.

By Mr. RICHARDSON (for himself, Mr. BROWN, and Mr. JONTZ):

H.R. 5547. A bill to require the Secretary of Agriculture to establish an administrative appeals process with respect to certain Forest Service decisions, and for other purposes; to the Committee on Agriculture.

By Mr. RICHARDSON:

H.R. 5548. A bill to direct the Secretary of Agriculture to convey certain lands to the town of Taos, NM; to the Committee on Interior and Insular Affairs.

By Mr. SANTORUM:

H.R. 5549. A bill to repeal the Rural Electrification Act of 1936, require the sale of all loans made under such act, and authorize the Secretary of Agriculture to make loans to electric generation and transmission co-operatives which are unable to obtain needed financing in the private sector; to the Committee on Agriculture.

H.R. 5550. A bill to limit the annual growth in overhead of executive agencies of the Government beginning with fiscal year 1994; to the Committee on Government Operations.

H.R. 5551. A bill to achieve payroll and work force reductions within the Federal Government through management incentives and other means; to the Committee on Post Office and Civil Service.

H.R. 5552. A bill to authorize a combined grant to States for administrative costs necessary to carry out the program of aid to families with dependent children under title IV of the Social Security Act, the State plan for medical assistance under title XIX of such act, and the Food Stamp Program, to eliminate enhanced Federal payments for such costs under such programs, and for other purposes; jointly, to the Committees on Ways and Means, Agriculture, and Energy and Commerce.

H.R. 5553. A bill to enable the Secretary of Health and Human Services to carry out activities to reduce waste and fraud under the Medicare Program; jointly, to the Committees on Ways and Means and Energy and Commerce.

H.R. 5554. A bill to require the consolidation of agricultural research and extension activities of the Department of Agriculture; to the Committee on Agriculture.

By Mr. SCHUMER (for himself, Mr.

WALSH, and Mr. LEHMAN of Florida):

H.R. 5555. A bill to provide for increased preinspection at foreign airports, to make permanent the visa waiver pilot program, and to provide for expedited airport immigration processing; to the Committee on the Judiciary.

By Mr. STARK:

H.R. 5556. A bill to establish in the Food and Drug Administration the Patented Medicine Prices Review Board to regulate the prices of certain prescription drugs, and for other purposes; jointly, to the Committees on the Judiciary and Energy and Commerce.

By Mr. STUDDS (for himself, Mr.

REED, Mr. MAVROULES, Mr. ATKINS, Mr. OLVER, Mr. YOUNG of Alaska, Mr. GROSS, and Mr. FRANK of Massachusetts):

H.R. 5557. A bill to amend the Magnuson Fishery Conservation and Management Act to provide for the restoration of New England stocks of groundfish, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. VISCLOSKEY (for himself, Mr. McCLOSKEY, and Mr. APPLEGATE):

H.R. 5558. A bill to amend title XVIII of the Social Security Act to protect certain hos-

pitals from the unintended effects of geographic reclassification in determining the amount of payments to such hospitals for the operating costs of inpatient hospital services under part A of the Medicare Program, to clarify the criteria used for the geographic reclassification of hospitals under the program, and to permit certain hospitals to be treated as regional referral centers under the program; to the Committee on Ways and Means.

By Mr. TAUZIN (for himself, Mr. SLATTERY, Mr. LEHMAN of California, Mr. MOORHEAD, Mr. BARTON of Texas, Mr. RITTER, Mr. OXLEY, and Mr. HASTERT):

H.R. 5559. A bill to amend the Communications Act of 1934 to regulate the provision of information services by common carriers, to foster the development of the information services industry, and to promote competition in the provision of information services; to the Committee on Energy and Commerce.

By Mr. WELDON (for himself, Mr. APPELEGATE, Mr. BEVILL, Mr. DORNAN of California, Mr. SCHEUER, Mr. STAGGERS, Ms. NORTON, Mr. McMILLEN of Maryland, Mrs. MINK, Mr. SISISKY, Mrs. BOEHLERT, Mr. MAZZOLI, Mr. JACOBS, Mr. SUNDQUIST, Mr. MORAN, Mr. GUARINI, Mr. BUNNING, Mr. WEISS, Mr. NEAL of North Carolina, Mr. FISH, Mr. HORTON, Mr. HOYER, Mr. DURBIN, Mr. ASPIN, Mr. McNULTY, Mr. VANDER JAGT, Mr. MURTHA, Mr. LIPINSKI, Mr. CHAPMAN, Mr. TALLON, Mr. COBLE, Ms. LONG, Mr. HARRIS, Mr. RIGGS, Mr. GRANDY, Mr. SABO, Mr. FROST, Mr. CLINGER, Mr. HOCHBRUECKNER, Mr. TAYLOR of North Carolina, Mr. MORRISON, Mr. LEHMAN of Florida, Mr. RICHARDSON, Mr. ERDREICH, Ms. PELOSI, Mr. POSHARD, Mr. STUMP, Mr. ACKERMAN, Mr. DWYER of New Jersey, Mr. DARDEN, Mr. DOWNEY, Mr. BROWDER, Mr. CARPER, Mr. FAWELL, Mr. KOPETSKI, Mr. MANTON, Mr. LENT, Mr. BOUCHER, Mr. SAXTON, Mr. JENKINS, Mr. OXLEY, Mr. RANGEL, Mr. LIVINGSTON, Mr. DREIER of California, Mr. SHAW, Mr. GILMAN, Mr. TRAXLER, Mr. PICKETT, Mr. WOLF, Mr. RUSSO, Mr. PAXON, Mr. MONTGOMERY, Mr. BONIOR, Mr. ROEMER, Mrs. UNSOELD, Mr. EMERSON, Mrs. MORELLA, Mr. SANGMEISTER, Mr. KASICH, Mr. GAYDOS, Mr. GALLEGLY, Mr. MCGRATH, Mr. SPRATT, Mr. SKEEN, Ms. DELAULO, Mrs. COLLINS of Michigan, Mr. OLVER, Mrs. BYRON, Mr. WALSH, Mr. LEVIN of Michigan, Mr. EDWARDS of Texas, Ms. SLAUGHTER, Mr. VALENTINE, Mr. LAFALCE, Mr. STEARNS, Mr. COLEMAN of Texas, Mr. MAVROULES, Mr. HUGHES, Mr. QUILLEN, Mr. KLUG, Ms. MOLINARI, Mr. EVANS, Mr. SERRANO, Mr. LANTOS, Mr. GEREN of Texas, Mr. TRAFICANT, Mr. YOUNG of Florida, Mr. ROE, Mr. CARDIN, Mr. PAYNE of New Jersey, Mr. JEFFERSON, Mr. SCHIFF, Mr. LEWIS of California, Mr. ZIMMER, Mr. LAUGHLIN, Mr. FAZIO, Mr. DEFazio, Mr. LANCASTER, Mr. MRAZEK, Mr. VENTO, Mr. ZELIFF, and Mr. GEJDENSON):

H. J. Res. 523. Joint resolution designating October 8, 1992, as "National Firefighters Day"; to the Committee on Post Office and Civil Service.

By Mr. HOYER:

H. Con. Res. 343. Concurrent resolution providing for an adjournment of the House from July 2 until July 7, 1992, an adjournment of the House from July 9 until July 21, 1992, and an adjournment or recess of the Senate from July 2 until July 20, 1992; considered and agreed to.

By Mr. KOSTMAYER (for himself and Mrs. MORELLA):

H. Con. Res. 344. Concurrent resolution calling on the Secretary of Defense to complete a full investigation into alleged sexual harassment of women at the symposium of the Tailhook Association in September 1991; to the Committee on Armed Services.

By Mr. MCCLOSKEY:

H. Con. Res. 345. Concurrent resolution concerning declassification and release of information relating to United States military personnel held involuntarily in Indochina; to the Committee on Government Operations.

By Ms. MOLINARI:

H. Con. Res. 346. Concurrent resolution expressing the sense of the Congress that the U.S. Postal Service should not tender high-threat mail to air carriers for transportation on passenger flights until the recommendations of the Federal Aviation Administration's mail and cargo security study are implemented; to the Committee on Post Office and Civil Service.

By Mr. HAMILTON:

H. Res. 512. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Task Force to Investigate Certain Allegations Concerning the Holding of Americans as Hostages in Iran in 1980 in the second session of the One Hundred Second Congress; to the Committee on House Administration.

182.40 MEMORIALS

Under clause 4 of rule XXII,

495. The Speaker presented a memorial of the Legislature of the State of Michigan, relative to a national registry of persons convicted of child abuse crimes; which was referred to the Committee on Education and Labor.

182.41 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 104: Mr. BUSTAMANTE.
H.R. 430: Mr. CUNNINGHAM.
H.R. 551: Mr. MORRISON, Mr. MILLER of Washington, Mr. ZIMMER, Mr. EMERSON, and Mr. DUNCAN.
H.R. 917: Mr. MORRISON, Mr. KLUG, and Mr. SCHIFF.
H.R. 918: Mr. REED.
H.R. 1241: Mr. ALLEN and Mr. HASTERT.
H.R. 1335: Mr. KOPETSKI, Mr. SANDERS, and Mr. TORRICELLI.
H.R. 1378: Mr. TORRICELLI.
H.R. 1379: Mr. TORRICELLI and Mr. JOHNSON of South Dakota.
H.R. 1443: Mr. APPELEGATE.
H.R. 1456: Mr. GOODLING.
H.R. 1536: Mr. McNULTY.
H.R. 1886: Mr. SKAGGS and Mr. KANJORSKI.
H.R. 2164: Mr. HUCKABY.
H.R. 2867: Mr. McMILLEN of Maryland.
H.R. 2894: Mr. MINETA and Mr. DARDEN.
H.R. 3164: Mr. SAXTON, Mr. ROTH, Mr. SAWYER, Mr. HOBSON, and Mrs. VUCANOVICH.
H.R. 3204: Mr. RAMSTAD.
H.R. 3253: Mr. KILDEE.
H.R. 3273: Mr. MILLER of Ohio, Mr. PACKARD, Mr. OWENS of Utah, Ms. PELOSI, Mr. STALLINGS, Mr. CONDIT, Mr. LEWIS of California, Mr. NEAL of Massachusetts, Mr. GALLO, Mr. WYDEN, Ms. KAPTUR, Mr. LEVIN of Michigan, Mr. RIGGS, Mr. FAZIO, Mr. DOOLITTLE, and Mr. JOHNSON of South Dakota.
H.R. 3441: Mr. ZELIFF.
H.R. 3486: Mr. MAZZOLI and Mr. CHANDLER.
H.R. 3493: Mr. HOBSON and Mr. BAKER.
H.R. 3561: Mr. LIVINGSTON, Mr. MCCRERY, and Mr. CRANE.
H.R. 3598: Ms. SNOWE.
H.R. 3625: Mr. KILDEE.
H.R. 3764: Mr. RAVENEL.

H.R. 3776: Mr. LANTOS.
H.R. 4094: Mr. FISH.
H.R. 4178: Mr. PRICE.
H.R. 4259: Mr. ATKINS, Mr. MILLER of California, and Mr. EVANS.
H.R. 4270: Mr. WISE.
H.R. 4279: Mrs. LOWEY of New York.
H.R. 4334: Mr. RIGGS, Mr. EWING, Mr. DAN-NEMEYER, Mr. BURTON of Indiana, and Mr. HANCOCK.
H.R. 4414: Mr. MILLER of Washington.
H.R. 4537: Mr. SHAW.
H.R. 4542: Mr. FOGLIETTA, Ms. PELOSI, and Mr. WOLPE.
H.R. 4585: Mr. WHEAT, Mr. RAVENEL, Mr. ERDREICH, Ms. PELOSI, Mr. GIBBONS, Mr. JACOBS, Mr. DIXON, Mr. HAYES of Illinois, and Mr. HARRIS.
H.R. 4599: Mr. PANETTA and Mr. ROWLAND.
H.R. 4725: Mr. BUSTAMANTE.
H.R. 4729: Mr. KILDEE, Mr. SANDERS, Mr. BUSTAMANTE, Mr. ENGLISH, Mr. PETERSON of Florida, and Mr. CARPER.
H.R. 4738: Mr. MAVROULES.
H.R. 4754: Mr. KOSTMAYER and Mr. TORRICELLI.
H.R. 4976: Mr. HORTON.
H.R. 5096: Mr. BRYANT, Mr. SYNAR, Mr. STAGGERS, Mr. HUBBARD, and Mr. JONES of North Carolina.
H.R. 5121: Mr. OWENS of New York, Mrs. EVANS, and Mr. BILBRAY.
H.R. 5123: Mr. LAFALCE, Mr. KENNEDY, Mr. RAVENEL, Mr. KOPETSKI, Mr. NEAL of North Carolina, and Ms. SLAUGHTER.
H.R. 5176: Mr. ACKERMAN and Mrs. LOWEY of New York.
H.R. 5220: Mr. FISH, Mr. ZELIFF, Mr. CUNNINGHAM, Mr. GALLEGLY, Mr. GINGRICH, Mr. RANGEL, Mr. SKEEN, Mr. HORTON, and Mr. MCCRERY.
H.R. 5223: Mr. JOHNSON of South Dakota and Mr. MORRISON.
H.R. 5264: Mr. FLAKE.
H.R. 5297: Mr. PAXON, Mr. GORDON, Mr. INHOFE, Mr. GILMAN, Mr. FROST, Mr. LIGHT-FOOT, Mr. MCEWEN, Mr. BAKER, Mr. SWIFT, Mr. COLEMAN of Missouri, Mr. DEFazio, Mr. DARDEN, Mr. HOLLOWAY, Mr. STUMP, Mr. ASPIN, Mr. HORTON, Mr. PICKETT, Mr. TAUZIN, Mr. PETERSON of Florida, Mr. MCCRERY, Mr. NEAL of North Carolina, Mr. RAHALL, Mr. CAMP, Mr. GINGRICH, and Mr. TANNER.
H.R. 5307: Mr. FASCELL, Mr. YOUNG of Florida, Mr. GIBBONS, Mr. MCCOLLUM, and Mr. SPENCE.
H.R. 5340: Mr. FIELDS, Mr. DOOLITTLE, Mr. MURPHY, Mr. CUNNINGHAM, Mr. BLILEY, Mr. HASTERT, Mr. VOLKMER, Mr. LENT, Mr. WEBER, Mr. MYERS of Indiana, Mr. LOWEY of California, Mr. DE LA GARZA, and Mr. TAUZIN.
H.R. 5360: Mr. PASTOR and Mr. EVANS.
H.R. 5375: Mr. EWING, Mr. KLUG, and Mr. FRANKS of Connecticut.
H.R. 5391: Mr. FRANK of Massachusetts, Mrs. BENTLEY, Mr. HORTON, and Mr. RANGEL.
H.R. 5401: Mr. RINALDO and Ms. NORTON.
H.R. 5404: Mr. LANCASTER, Mr. WILSON, Mr. FROST, and Mr. ZELIFF.
H.R. 5416: Mr. EVANS and Ms. NORTON.
H.R. 5433: Mr. MORAN, Mr. ZELIFF, Mr. BAKER, Mr. THOMAS of Wyoming, Mr. PAXON, Mr. RIGGS, Mr. MCCANDLESS, Mr. ROTH, Mr. ZIMMER, Mr. HAMMERSCHMIDT, Mr. BARRETT, Mr. FIELDS, and Mr. VISCLOSKEY.
H.R. 5456: Mr. BERMAN.
H.R. 5476: Mr. HOCHBRUECKNER, Mr. DOWNEY, Mr. MRAZEK, Mr. LENT, Mr. MCGRATH, Mr. FLAKE, Mr. ACKERMAN, Mr. SCHEUER, Mr. MANTON, Mr. SCHUMER, Mr. TOWNS, Mr. OWENS of New York, Mr. SOLARZ, Ms. MOLINARI, Mr. GREEN of New York, Mr. GUARINI, Mr. WEISS, Mr. SERRANO, Mr. ENGEL, Mrs. LOWEY of New York, Mr. FISH, Mr. GILMAN, Mr. McNULTY, Mr. SOLOMON, Mr. BOEHLERT, Mr. MARTIN, Mr. WALSH, and Mr. RANGEL.
H.R. 5477: Mr. FASCELL.
H.R. 5478: Mr. LANCASTER, Mr. ROSE, Mr. ERDREICH, Mr. COLEMAN of Texas, Mr. RICH-

ARDSON, Mr. PASTOR, Mr. BARNARD, Mr. TAUZIN, Mr. TORRES, Mr. PICKLE, Mr. BROOKS, Mr. RAVENEL, Mr. FASCELL, and Mr. ROYBAL. H.R. 5496: Mr. ZELIFF, Ms. KAPTUR, and Mr. ATKINS.

H.R. 5514: Mr. SWIFT.
H.J. Res. 378: Mr. FOGLIETTA and Mr. DICKINSON.

H.J. Res. 400: Mr. OWENS of Utah, Mr. DICKINSON, and Mrs. KENNELLY.

H.J. Res. 411: Mr. PANETTA.

H.J. Res. 474: Mr. CARDIN, Mr. DWYER of New Jersey, Mrs. VUCANOVICH, and Mr. ROTH.

H.J. Res. 478: Mr. KILDEE, Mr. COUGHLIN, Mrs. ROUKEMA, Mr. SCHAEFER, and Ms. SLAUGHTER.

H.J. Res. 479: Mr. COLORADO, Mr. MURTHA, and Mr. ANNUNZIO.

H.J. Res. 483: Mr. CALLAHAN.

H.J. Res. 489: Mr. KASICH, Mrs. BOXER, Mr. MACHTEY, Mr. WYDEN, Ms. SLAUGHTER, Mr. CARDIN, and Mr. HERGER.

H.J. Res. 495: Mr. JOHNSON of South Dakota and Mrs. KENNELLY.

H.J. Res. 498: Mr. GEREN of Texas, Mr. RAY, Mr. VALENTINE, Mr. CARPER, Mr. MINETA, Mr. PAYNE of New Jersey, Mr. POSHARD, Mr. DEFAZIO, Mr. BLILEY, Ms. NORTON, Mr. FORD of Michigan, and Mr. PETERSON of Minnesota.

H.J. Res. 501: Mr. ECKART and Mr. PERKINS.

H.J. Res. 508: Mr. JEFFERSON, Mr. WAXMAN, Mr. FROST, Mr. TORRICELLI, Mr. HORTON, Mr. LANCASTER, Mr. APPEGATE, Mr. ABERCROMBIE, Mr. HOCHBRUECKNER, and Mr. KILDEE.

H. Con. Res. 246: Mr. ROEMER, Mr. VALENTINE, Mr. GLICKMAN, Mr. FALEOMAVAEGA, and Mr. MURTHA.

H. Con. Res. 282: Mr. MORRISON, Mr. DYMALLY, Mr. YATES, Mr. HASTERT, Mr. GRANDY, Mr. ORTIZ, Ms. PELOSI, and Mr. HOPKINS.

H. Con. Res. 295: Mr. SCHEUER and Mr. TORRICELLI.

H. Con. Res. 307: Mr. SHUSTER.

H. Res. 139: Mr. SHUSTER.

H. Res. 422: Mr. GEJDENSON, Mr. OWENS of Utah, and Mrs. KENNELLY.

H. Res. 470: Ms. NORTON, Mr. ENGEL, and Mr. FROST.

H. Res. 472: Mr. PAXON.

H. Res. 490: Mr. MILLER of Washington, Mr. ATKINS, Mr. STOKES, Mr. McDERMOTT, Mr. SAXTON, Mr. THOMAS of Wyoming, Mr. SMITH of Iowa, Mr. RHODES, Mr. FAWELL, and Mr. HASTERT.

§82.42 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3221: Mr. VOLKMER.

TUESDAY, JULY 7, 1992 (83)

§83.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MONTGOMERY, who laid before the House the following communication:

WASHINGTON, DC,

July 7, 1992.

I hereby designate the Honorable G.V. (SONNY) MONTGOMERY to act as Speaker pro tempore on this day.

THOMAS S. FOLEY,

Speaker of the House of Representatives.

§83.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MONTGOMERY, announced he had examined and approved the Journal of the proceedings of Thursday, July 2, 1992.

Pursuant to clause 1, rule I, the Journal was approved.

§83.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

3871. A letter from the Secretary of Defense, transmitting a letter to resolve the current impasse over the expenditure of fiscal year 1992 funds for the V-22 tiltrotor aircraft; to the Committee on Armed Services.

3872. A letter from the President, Resolution Trust Corporation, transmitting the audited financial statements of the Resolution Trust Corporation as at December 31, 1991, and for the year then ended; to the Committee on Banking, Finance and Urban Affairs.

3873. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

3874. A letter from the Director, Office of Management and Budget, transmitting OMB estimate of the amount of change in outlays or receipts, as the case may be, in each fiscal year through fiscal year 1997 resulting from passage of S. 756, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-582); to the Committee on Government Operations.

3875. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3876. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3877. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3878. A letter from the Secretary of Health and Human Services, transmitting the 25th in a series of reports on refugee resettlement in the United States covering the period October 1, 1990 through September 30, 1991, pursuant to 8 U.S.C. 1523(a); to the Committee on the Judiciary.

§83.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. MONTGOMERY, laid before the House a communication, which was read as follows:

WASHINGTON, DC,

July 6, 1992.

Hon. THOMAS S. FOLEY,

The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on Thursday, July 2, 1992 at 6:50 p.m.: That the Senate agreed to the Conference Report on H.R. 5260. With great respect, I am

Sincerely yours,

DONNALD K. ANDERSON,

Clerk, U.S. House of Representatives.

§83.5 ENROLLED BILL SIGNED

The SPEAKER pro tempore, Mr. MONTGOMERY, announced that pur-

suant to clause 4, rule I, the Speaker signed the following enrolled bill on Thursday, July 2, 1992:

H.R. 5260. An Act to extend the emergency unemployment program, to revise the trigger provisions contained in the extended unemployment compensation programs, and for other purposes.

§83.6 CUSTOMS FORFEITURE FUNDS

Mr. GUARINI moved to suspend the rules and pass the bill (H.R. 3562) relating to the use of unobligated moneys in the Customs Forfeiture Fund; as amended.

The SPEAKER pro tempore, Mr. MONTGOMERY, recognized Mr. GUARINI and Mr. THOMAS of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. MONTGOMERY, announced that two-thirds of the Members present had voted in the affirmative.

Mr. THOMAS of California demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. MONTGOMERY, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed until Wednesday, July 8, 1992, pursuant to the prior announcement of the Chair.

§83.7 CAPITOL POLICE JURISDICTION

Ms. OAKAR moved to suspend the rules and pass the bill (H.R. 5269) to add to the area in which the Capitol Police have law enforcement authority, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. MONTGOMERY, recognized Ms. OAKAR and Mr. ROBERTS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. MAZZOLI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

On motion of Ms. OAKAR, by unanimous consent, the Committee on House Administration was discharged from further consideration of the bill of the Senate (S. 1766) relating to the jurisdiction of the United States Capitol Police.

When said bill was considered and read twice.

Ms. OAKAR submitted the following amendment, which was agreed to:

Strike out all after the enacting clause and insert the provisions of H.R. 5269, as passed by the House.

The bill, as amended, was ordered to be read a third time, was read a third time by title, and passed.